



THE CITY OF

JARRELL

City of Jarrell
Regular City Council Meeting
Jarrell City Council Chambers
161 Town Center Blvd. Jarrell, Texas 76537
Tuesday, June 4, 2024, at 7:00 p.m.

AGENDA

Mayor Patrick Sherek
Alderman Place 1, Daniel Klepac
Alderman Place 2, Jeff Seidel

Mayor Pro Tem Place 3, Tanya Clawson
Alderman Place 4, Adam Marsh
Alderman Place 5, Daniel Islas

1. **CALL MEETING TO ORDER**

- Roll Call
- Invocation
- Pledge of Allegiance

2. **PUBLIC COMMENTS**

Those wishing to speak to the City Council must complete the appropriate color card listed below and present the card to the Municipal Clerk prior to the beginning of the meeting. Please wait to be invited to approach the podium and observe a **three**-minute time limit when speaking.

Orange Sign in Card – Items not listed on the agenda

An individual may speak; however, the topics presented are considered informational only and may result in placement on a future agenda. No formal discussion or action will be conducted at this time.

Yellow Sign in Card – Item listed on the agenda

An individual may speak once the regular agenda item is announced for consideration and/or when the speaker is invited to approach the podium.

3. **CONSENT AGENDA ITEMS**

The Consent Agenda items listed below are considered to be routine by the City Council and will be enacted by one motion. There will be no separate deliberation of these items unless requested by a Councilmember, in which event, the item will be removed from the Consent Agenda and considered as a Regular Agenda item.





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- 3.1 Consideration and possible action regarding the approval of the minutes of the Regular City Council Meeting on May 7, 2024.

Dianne Peace

- 3.2 Discussion, consideration and possible action regarding the amendment to the City of Jarrell holiday schedule to add the federal holiday of Juneteenth Independence Day of June 19th.

Danielle Singh

4. REGULAR AGENDA ITEMS

- 4.1 Presentation from the Jarrell Community Library and Resource Center for update on programs and projects.

Susan Gregurek, Library Director

- 4.2 Discussion, consideration and possible action regarding Ordinance No. 2024-0604-01, an Ordinance for the update to Sections Of 9.04 Of the Code of Ordinances, also known as Fees and Charges.

Jordan Cantu

- 4.3 Discussion, consideration, and possible action regarding the Jarrell EDC funding a project with National Fitness Campaign and Blue Cross Blue Shield for a Fitness Court Studio.

Traci Anderson

- 4.4 Discussion, consideration, and possible action regarding an amendment of the Jarrell Economic Development Corporation By-Laws.

Traci Anderson

- 4.5 Discussion, consideration, and possible action regarding a City Ordinance concerning the Jarrell Economic Development Corporation.

Traci Anderson

5. ADJOURN INTO CLOSED SESSION/EXECUTIVE SESSION:

- 5.1 Closed Executive Session pursuant to Texas Government Code section 551.074 to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; to wit: City Manager Danielle Singh Annual Review.





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- 5.2 Closed Executive Session pursuant to 551.087 of the Texas Government Code to deliberate economic development negotiations regarding Project Lunch Lady.
- 5.3 Closed Executive Session pursuant to 551.087 of the Texas Government Code to deliberate economic development negotiations regarding the development of the Jarrell TIRZ.
- 5.4 Closed Executive Session pursuant to Texas Government Code section 551.074 to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; to wit: Economic Development Board Members.

6. RECONVENE INTO OPEN SESSION.

- 6.1 Discussion, consideration and possible action regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; to wit: City Manager Danielle Singh Annual Review.
- 6.2 Discussion, consideration and possible action regarding economic development negotiations regarding Project Lunch Lady.
- 6.3 Discussion, consideration, and possible action regarding the development of the Jarrell TIRZ.
- 6.4 Discussion, consideration and possible action regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; to wit: Jarrell Economic Development Board Members.

7. **Adjournment.**

CERTIFICATION

I certify that the above Notice of Meeting of the City of Jarrell City Council was posted on the city's website at www.cityofjarrell.com and on the Bulletin Board located at Jarrell City Hall - 161 Town Center Blvd, Jarrell, Texas 76537 pursuant to Chapter 551 of the Texas Government Code.

AGENDA POSTED ON June 1, 2024, at 4:00 p.m.

Dianne Peace

City of Jarrell, Texas - Posted by: City Secretary's Office





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This meeting will be conducted pursuant to the Texas Government Code Section 551.001 et seq. At any time during the meeting the Council reserves the right to adjourn into executive session on any of the above posted agenda items in accordance with the sections 551.071 [litigation and certain consultation with attorney], 551.072 [deliberations about real property], 551.073 [deliberations about gifts and donations to city], 551.074 [deliberations on certain personnel matters] or 551.076 [deliberations about deployment/ implementation of security personnel or devices] and 551.087 [Economic Development]. The City of Jarrell is committed to compliance with the American with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request.

Please call the Municipal Clerk at 512/ 746-4593 for assistance.

I certify that the above Agenda of the Jarrell City Council was removed from the Bulletin Board located at Jarrell City Hall; 161 Town Center Blvd. in Jarrell, Texas on:

Removed on _____, 2024 at _____ am/pm
City of Jarrell, Texas

Removed by: City Secretary's Office





THE CITY OF

JARRELL

3.1

City of Jarrell
Regular City Council Meeting
Jarrell City Council Chambers
161 Town Center Blvd. Jarrell, Texas 76537
Tuesday, May 7, 2024, at 7:00 p.m.

MINUTES

Mayor Patrick Sherek - **Present**
Alderman Place 1, Daniel Klepac - **Present**
Alderman Place 2, Jeff Seidel - **Present**

Mayor Pro Tem Place 3, Tanya Clawson – **Present**
Alderman Place 4, Adam Marsh - **Present**
Alderman Place 5, Daniel Islas - **Present**

1. CALLED MEETING TO ORDER AT 7:00 P.M.

- Roll Call - **All Members Present**
- Invocation – **Led by Mayor Pro Tem Tanya Clawson**
- Pledge of Allegiance

2. PUBLIC COMMENTS

Those wishing to speak to the City Council must complete the appropriate color card listed below and present the card to the Municipal Clerk prior to the beginning of the meeting. Please wait to be invited to approach the podium and observe a **three-minute** time limit when speaking.

Orange Sign in Card – Items not listed on the agenda

An individual may speak; however, the topics presented are considered informational only and may result in placement on a future agenda. No formal discussion or action will be conducted at this time.

- a. **Chris Nulton expressed appreciation for the traffic control lights and stated his concerns regarding the Council members’ absences.**

Yellow Sign in Card – Item listed on the agenda

An individual may speak once the regular agenda item is announced for consideration and/or when the speaker is invited to approach the podium.

- a. **Roger Thompson expressed his concerns regarding ongoing issues of the City Manager position.**

The remaining yellow comment cards chose to be heard during the consideration of Agenda Item 7.4.





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3. PROCLAMATION

3.1 Proclamation Declaring May 6 thru May 10, 2024 Economic Development Week.

The Proclamation was read by Mayor Pro Tem Tanya Clawson and was presented by Mayor Patrick Sherek to the economic development director, Traci Anderson, and to members of the Jarrell Economic Development Corporation.

Mayor Patrick Sherek moved forward to Executive Session Agenda Items 6.3, 6.4 and 6.5 and stated that City Manager, Danielle Singh requested that Agenda Item 6.5 be discussed in open session.

Alderman Jeff Seidel made a motion to remove all items from the agenda, except the 2 items pertaining to Danielle Singh's discipline. The motion died for lack of a second.

Mayor Pro Tem Tanya Clawson made a motion that Agenda Item 6.3 be held in open session. Second by Alderman Daniel Klepac. Mayor Pro Tem Tanya Clawson and Alderman Daniel Klepac voted for the motion. Alderman Jeff Seidel, Alderman Adam Marsh and Alderman Daniel Islas voted against the motion. The motion was not approved.

ADJOURNED INTO CLOSED SESSION/EXECUTIVE SESSION AT 7:12 P.M.:

6.3 Closed Executive Session pursuant to Texas Government Code section 551.074 to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; to wit: City Council Members

6.4 Closed Executive Session pursuant to Texas Government Code section 551.071 to conduct a private consultation with its attorney when the governmental body seeks the advice of its attorney about pending or contemplated litigation or a settlement offer or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter; to wit: employment of City Manager Danielle Singh.

6.5 Closed Executive Session pursuant to Texas Government Code section 551.074 to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; to wit: City Manager Danielle Singh.

RECONVENED INTO OPEN SESSION AT 8:56 P.M.





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7.3 Discussion, consideration and possible action regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; to wit: City Council Members.

No formal action taken. Mayor Patrick Sherek expressed his concerns regarding actions of Alderman Daniel Islas, Alderman Adam Marsh and Alderman Jeff Seidel.

7.4 Discussion, consideration, and possible action regarding employment of City Manager Danielle Singh.

Remaining Yellow Comment Cards:

- b. **Rusty Bryson expressed her concerns regarding the actions of some of the City Council members and spoke in support of City Manager, Danielle Singh.**
- c. **Nicole Mills expressed her concerns regarding the action of Alderman Daniel Islas, Alderman Adam Marsh and Alderman Jeff Seidel and spoke in support of City Manager, Danielle Singh.**
- d. **Tammy Clawson expressed her concerns regarding the actions of some of the City Council members and spoke in support of City Manager, Danielle Singh.**
- e. **Abigail Brown spoke in support of City Manager, Danielle Singh.**
- f. **Charles Ashby declined to speak at the podium; however, he stated he agreed with Abigail Brown's comments.**
- g. **Mayor Patrick Sherek read an email from Commissioner Russ Boles in support of City Manager, Danielle Singh.**
- h. **Mayor Patrick Sherek read an email from Jarrell ISD Superintendent, Dr. Toni Hicks, in support of City Manager, Danielle Singh.**

No formal action taken.

7.5 Discussion and possible action regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; to wit: City Manager Danielle Singh.

No formal action taken.

4. CONSENT AGENDA ITEMS

The Consent Agenda items listed below are considered to be routine by the City Council and will be enacted by one motion. There will be no separate deliberation of these items unless requested by a





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Councilmember, in which event, the item will be removed from the Consent Agenda and considered as a Regular Agenda item.

- 4.1 Consideration and possible action regarding the approval of the minutes of the Regular City Council Meeting on March 5, 2024.
- 4.2 Discussion, consideration, and possible action regarding the approval of Resolution No. 2024-0402-01, to Approve a Revised Interlocal Cooperation Contract Between the Texas Department of Public Safety of The State of Texas (DPS) and the City of Jarrell Revising the Contract to Establish the Failure to Appear (FTA) Program and to Authorize the City Manager to Execute the Agreement.

Alderman Daniel Klepac requested that Consent Agenda Item 4.2 be pulled from the Consent items for discussion.

Mayor Pro Tem Tanya Clawson made a motion to approve the minutes of the Regular City Council meeting on March 5, 2024, as presented. Second by Alderman Daniel Klepac. The motion was approved by a unanimous vote.

After discussion of Consent Agenda Item No. 4.2, Alderman Daniel Klepac made a motion to approve. Second by Mayor Pro Tem Tanya Clawson. The motion was approved by a unanimous vote.

5. REGULAR AGENDA ITEMS

- 5.1 Discussion, consideration, and possible action regarding a contract with Axon to provide equipment for Jarrell Police Department.

Mayor Pro Tem Tanya Clawson made a motion to approve the contract with Axon as presented. Second by Alderman Adam Marsh. Mayor Pro Tem Tanya Clawson, Alderman Adam Marsh, Alderman Daniel Klepac and Alderman Daniel Islas voted for the motion. Alderman Jeff Seidel voted against the motion. The motion was approved by a majority vote.

- 5.2 Discussion, consideration, and possible action authorizing the purchase of police vehicles in an amount not to exceed \$539,892.





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Mayor Pro Tem Tanya Clawson made a motion to authorize the purchase of police vehicles in an amount not to exceed \$539,892. Second by Alderman Daniel Klepac. The motion was approved by a unanimous vote.

5.3 Discussion, consideration, and possible action regarding a budget amendment for FY 2024.

Mayor Pro Tem Tanya Clawson made a motion to accept the budget amendment as presented. Second by Alderman Daniel Klepac. The motion was approved by a unanimous vote.

6. **ADJOURNED INTO CLOSED SESSION/EXECUTIVE SESSION AT 10:20 P.M.:**

6.1 Closed Executive Session pursuant to Texas Government Code Section 551.071 for a consultation with the City Attorney: Jarrell Town Center Water Contract.

6.2 Closed Executive Session pursuant to Texas Government Code Section 551.072 for deliberation regarding real property: 500 & 550 PR 924, Jarrell, Texas, 76537.

7. **RECONVENED INTO OPEN SESSION AT 10:42 P.M.**

7.1 Discussion, consideration, and possible action regarding the Jarrell Town Center Water Contract.

7.2 Discussion, consideration, and possible action regarding 500 & 550 PR 924, Jarrell, Texas, 76537.

Mayor Pro Tem Tanya Clawson made a motion to approve the purchase of the Town Center property and ground water rights and the purchase regarding real property located at 500 & 550 PR 914, Jarrell, Texas 76537; authorizing the City Manager to execute the necessary documents. Point of clarity was made that the addresses are to read 500 & 550 PR 924, Jarrell, Texas 76537. Second by Alderman Daniel Klepac. The motion was approved by a unanimous vote.

8. **THE MEETING WAS ADJOURNED AT 10:43 P.M.**

PASSED AND APPROVED by the City Council on the 4th DAY of June 2024.

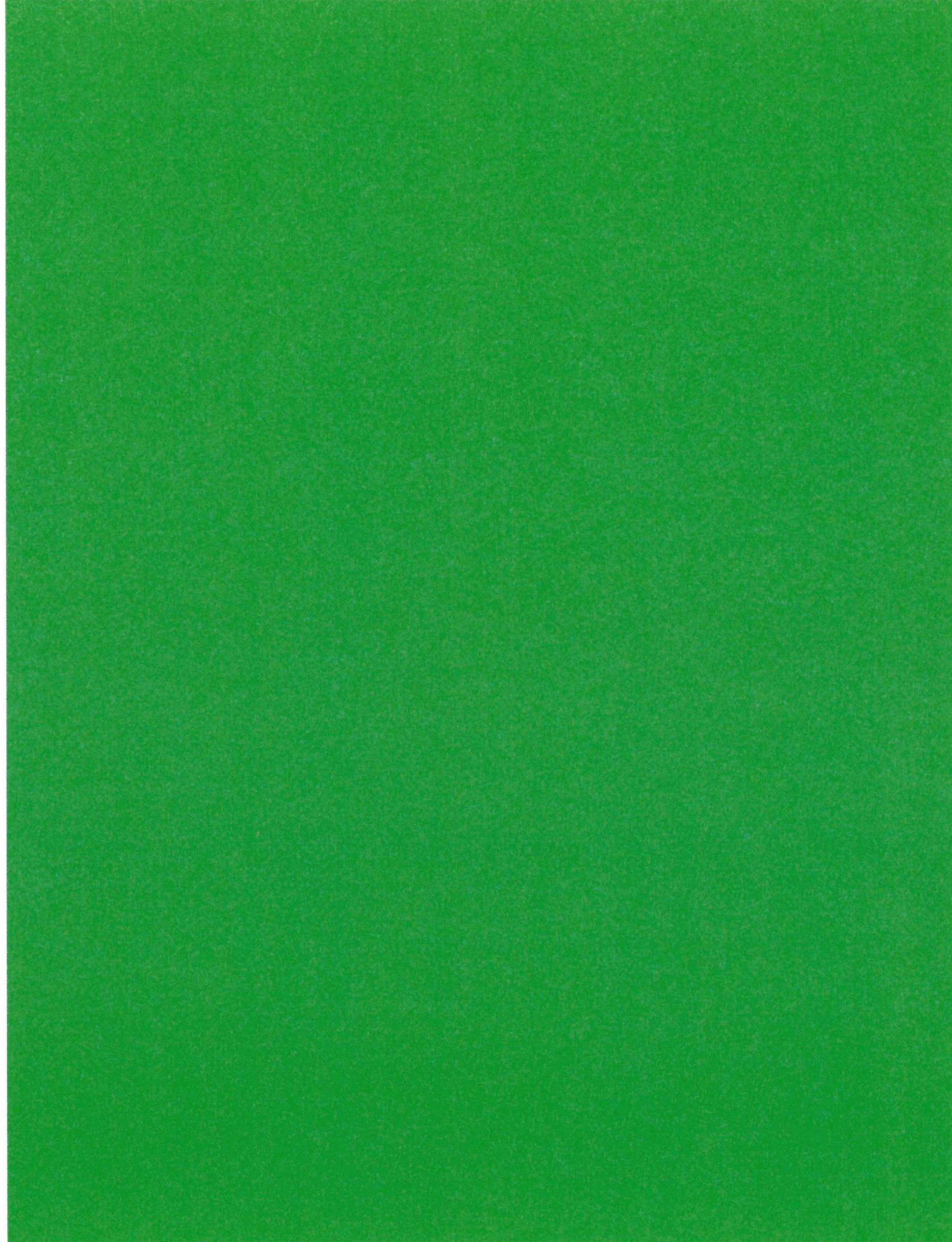
CITY OF JARRELL, TEXAS

Attest:

Patrick Sherek, Mayor

Dianne Peace, Municipal Clerk





2024 Federal Holidays



Holiday Name	Day of Week	Observed Date
New Year's Day	Monday	January 1, 2024
Birthdays of Martin Luther King, Jr.	Monday	January 15, 2024
Washington's Birthday	Monday	February 19, 2024
Memorial Day	Monday	May 27, 2024
Juneteenth Independence Day †	Wednesday	June 19, 2024
Independence Day	Thursday	July 4, 2024
Labor Day	Monday	September 2, 2024
Columbus Day	Monday	October 14, 2024
Veterans Day	Monday	November 11, 2024
Thanksgiving Day	Thursday	November 28, 2024
Christmas Day	Wednesday	December 25, 2024

Provided by FederalPay.org

<https://www.federalpay.org/holidays>

<https://www.federalpay.org/holidays>

3.2



Government

Residents

Departments

Business

How Do I...

Find My Precinct

History

Motor Vehicle

Property & Home

Property Tax

Online Services

Region

Support

Recreation

Transparency

Voting

Welcome to WilCol!

Thanksgiving Holiday

Thursday

November 23, 2023

Friday

November 24, 2023

Christmas Holiday

Monday

December 25, 2023

Tuesday

December 26, 2023

New Year's Holiday

Monday

January 1, 2024

Martin Luther King Day

Monday

January 15, 2024

Presidents Day

Monday

February 19, 2024

Good Friday

Friday

March 29, 2024

Memorial Day

Monday

May 27, 2024

Emancipation Day

Wednesday

June 19, 2024

Independence Holiday

Thursday

July 4, 2024

Labor Day

Monday

September 2, 2024

[CITY NEWS](#)[City Jobs](#)[The Georgetown Reporter Newsletter](#)[Holiday Schedule 2024](#)[City Services Guide](#)[Local & Government Links](#)[Public Meetings Calendar](#)[Project updates: ClearGov CIP map](#)[Open Records: Public Information Center](#)[Fiber and Cable Providers in Georgetown](#)[Intergovernmental relations](#)[Communications, Site & Branding Guidelines,](#)[Privacy Policy, etc.](#)[Contact Us](#)[City of Georgetown Texas > Contact Us > Holiday Schedule 2024](#)

Holiday Schedule 2024

City of Georgetown offices are closed on the following days in 2024:

- Jan. 1 (Monday) New Year's holiday
- Jan. 15 (Monday) Martin Luther King Jr. Day
- Feb. 19 (Monday) Presidents' Day
- March 29 (Friday) Good Friday
- May 27 (Monday) Memorial Day
- **June 19 (Wednesday) Juneteenth**
- July 4 (Thursday) Independence Day
- Sept. 2 (Monday) Labor Day
- Nov. 11 (Monday) Veterans Day
- Nov. 28 (Thursday) Thanksgiving Day
- Nov. 29 (Friday) Thanksgiving holiday
- Dec. 24 (Tuesday) Christmas Eve
- Dec. 25 (Wednesday) Christmas Day
- Jan. 1, 2025 (Wednesday) New Year's Day

The above holiday closures include the following offices:

- Art Center, 816 S. Main St.
- City Hall, 808 Martin Luther King, Jr. St.
- Council and Courts Building (including Municipal Court), 510 W. Ninth St.
- Georgetown Municipal Complex, 300-1 Industrial Avenue
- Parks and Recreation Administration, 1101 N. College Street
- Planning Department, 809 Martin Luther King, Jr. St.
- Public Safety Operations and Training Center, Police Records and Fire Support Services offices, 3500 D.B. Wood Road
- Visitors Center, 103 W Seventh St.

Other Closures/Dates

These facilities with regular weekend hours are closed for the following holidays:

- These facilities with regular weekend hours are closed for the following holidays:



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THE CITY OF

JARRELL

4.2

Date: June 4th, 2024

Subject: UDC Fee Update

Item: CONSIDERATION AND POSSIBLE ACTION REGARDING THE UPDATE TO SECTIONS OF 9.04 OF THE CODE OF ORDINANCES, ALSO KNOWN AS FEES AND CHARGES

Department: Development Services

Staff Member: Jordan Cantu, Director of Development Services

Justification: The City of Jarrell has had two updates to fees in 2018 and 2022, both updates only covered some of the fees. To have development pay for development we need to increase fees to cover the operating costs rather than continuing to use property tax to fund development related functions within City Hall. We are also proposing a restructuring to the codified text to reference a fee schedule rather than the fees being listed in the ordinance. We need to continuously look at and update fees as the demand for development is changing. Referencing a fee schedule will allow easier updates to this section of the code given they will not have to be sent for codification. The fees proposed still ensure we are competitive with our neighboring cities but allow us to recapture the cost of service.

Funding:

Cost: N/A

Source of Funds: N/A

Outside Resources: N/A

Background Information:

Public Comment:

Supporting Documentation:

Ordinance



ORDINANCE NO. 20024-0604-01

AN ORDINANCE OF THE CITY OF JARRELL, TEXAS, UPDATING ARTICLE 9.04, ALSO KNOWN AS “FEES AND CHARGES” IN CHAPTER 9 OF THE CODE OF ORDINANCES PROVIDING FOR A PUBLICATION CLAUSE; PROVIDING FOR SEVERABILITY AND CONTAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER; EFFECTIVE DATE CLAUSE.

WHEREAS, on June 4th, 2024, the City Council of the City of Jarrell will adopt the following ordinance regarding Chapter 9 of the Code of Ordinances described in Exhibit A hereto and incorporated herein and;

WHEREAS, The City Secretary will send notice of approval to the Williamson County Sun and;

WHEREAS, The City Council finds that the new ordinance promotes the health, safety and welfare of the City of Jarrell; and

WHEREAS, the City Council finds that all notice requirements have been met. NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF JARRELL, TEXAS:

SECTION I. Severability. It is hereby declared that the sections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional or invalid by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, because the same would have been enacted by the City Council without the incorporation of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION II. All ordinances and parts thereof in conflict herewith are hereby expressly repealed insofar as they conflict herewith.

SECTION III. Effective Date. This Ordinance shall take effect **July 1st, 2024**

PASSED AND APPROVED on this **4th** day of **June 2024** at a meeting of the City Council of the City of Jarrell, Texas.

THE CITY OF JARRELL

BY:

ATTEST:

Patrick Sherek, Mayor

Dianne Peace, City Secretary

City of Jarrell
Development Services Fee Schedule
 As Approved by City Council 06/04/2024



Annexation		
Annexation Without Zoning	\$1,000.00	
Annexation With Zoning	\$1,750.00	
Policy or Agreement Related Applications		
UDC Text Change	\$450.00	
Future Land Use Map Amendment	\$750.00	
Zoning Map Amendment	\$750.00	
Comprehensive Plan Amendment	\$750.00	
Discovery fee	\$750.00	
Development agreement fee	\$2,500.00	
Utility agreement fee	\$2,500.00	
SPA fee	\$1,000.00	
Special District Fee (MUD,PID,TIRZ)	\$20,000.00	
Resubmission (After 3rd)	\$1,000.00	
Zoning		
Temporary use permit	\$350.00	\$50.00 5/Acre
Zoning Change	\$750.00	
Planned Unit development (PUD)	\$2,500.00	
PUD Zoning Change	\$1,000.00	
Conditional Use Permit	\$750.00	\$25.00 1/Acre
Platting		
Preliminary plat	\$2,500.00	\$25.00 1/Acre
Final plat	\$3,500.00	\$25.00 1/Acre
Vacation of plat	\$1,000.00	\$25.00 1/Acre
Replat of subdivision	\$2,500.00	\$25.00 1/Acre
Minor plat	\$2,500.00	\$25.00 1/Acre
Administrative revisions	\$1,000.00	\$25.00 1/Acre
Engineering		
Site Plan Review	\$2,500.00	
Construction Plan Review	\$5,000.00	
Minor Deviations/Design	\$750.00	
Conditional Certificate of Completion	\$500.00	
Engineering Inspection	\$500.00	
Building Related Applications		
Residential Base Fee	\$125.00	
Commercial Base Fee	-	

1–10,000 sq. ft.	\$1,500.00	
10,001–30,000 sq. ft.	\$3,500.00	
30,001–50,000 sq. ft.	\$10,000.00	
Above 50,001 sq. ft.	\$20,000.00	
Residential Plan Review Fee	\$155.00	+ \$0.40 per sq. ft.
Commercial Plan Review Fee	\$1,500.00	+ \$0.50 per sq. ft.
Mobile Home Move-in Permit	\$350.00	
Demolition	\$250.00	
Above-ground Pool	\$350.00	
In-ground Pool	\$500.00	
Mobile food establishments (MFE) permit	\$525.00	
Miscellaneous permit	\$250.00	
Inspection	\$125.00	
Reinspection	\$275.00	
3 rd Inspection Failure	\$350.00	
Application fee – signs	\$500.00	
Signs (building or freestanding)	\$10.00	
Sign variance – approved per sq. ft.	\$15.00	
Commercial banner	\$125.00	
Technology Fee		
Technology Fee Permits	\$25.00	
Technology Fee Policy, Development, and Subdivision applications	\$75.00	

EXHIBIT A
ARTICLE 9.04
FEES AND CHARGES

§ 9.04.001. Fee Schedule.

1. Application fees shall be established and revised from time to time by the City Council.
2. All required fees shall be made payable to "The City of Jarrell."
3. An applicant who has paid the appropriate fee with an application, but who chooses to withdraw such application prior to any notification of completeness, may be entitled to a refund of all or a portion of the amount paid at the discretion of the Director.
4. An application shall only be accepted for review if the applicant, agent or property owner has no outstanding, undisputed fees owed to the City for the same property or other property under their control.

§ 9.04.002. Reserved

§ 9.04.003. Reserved

§ 9.04.004. Reserved

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§ 9.04.005. Reserved

§ 9.04.006. Reserved

§ 9.04.007. Reserved

§ 9.04.008. Reserved

§ 9.04.009. Reserved

§ 9.04.010. Reserved

§ 9.04.011. Meter fees.

Cost of meter + 10%
 (Ordinance 2022-0426-03 adopted 4/26/22)

§ 9.04.012. Water LUE fees.

(\$2,000.00 x LUE factor = Fee)

Residential Service w/ 5/8" meters	LUE Factor
Single-family residential	1
Two-family residential	1.8
Three-family residential	2.4

Nonresidential Services and Residential Services with meters greater than 5/8"	Residential Services with meters greater than 5/8"	LUE Factor
Meter Size (inch)	Positive Displacement Type	LUE Factor
1"	Positive displacement	2.5
1-1/2"	Positive displacement	5
2"	Positive displacement	8
2"	Compound	8
2"	Turbine	10

Nonresidential Services and Residential Services with meters greater than 5/8"		
Meter Size (inch)	Type	LUE Factor
3"	Compound	16
3"	Turbine	24
4"	Compound	25
4"	Turbine	42
6"	Compound	50
6"	Turbine	92
8"	Compound	80
8"	Turbine	160
10"	Compound	115
10"	Turbine	250
12"	Turbine	330

Additional fees may apply.
 (Ordinance 2020-0225-03 adopted 2/25/20)

§ 9.04.013. Wastewater LUE fees.

(\$2,000.00 x LUE factor = Fee)

Residential Service w/ 5/8" meters	LUE Factor
Single-family residential	1
Two-family residential	1.8
Three-family residential	2.4

Nonresidential Services and Residential Services with meters greater than 5/8"		
Meter Size (inch)	Type	LUE Factor
5/8"	Positive displacement	1
3/4"	Positive displacement	1.5
1"	Positive displacement	2.5
1-1/2"	Positive displacement	5
2"	Positive displacement	8
2"	Compound	8
2"	Turbine	10

Nonresidential Services and Residential Services with meters greater than 5/8"		
Meter Size (inch)	Type	LUE Factor
3"	Compound	16
3"	Turbine	24
4"	Compound	25
4"	Turbine	42
6"	Compound	50
6"	Turbine	92
8"	Compound	80
8"	Turbine	160
10"	Compound	115
10"	Turbine	250
12"	Turbine	330

Additional fees may apply.
 (Ordinance 2020-0225-03 adopted 2/25/20)

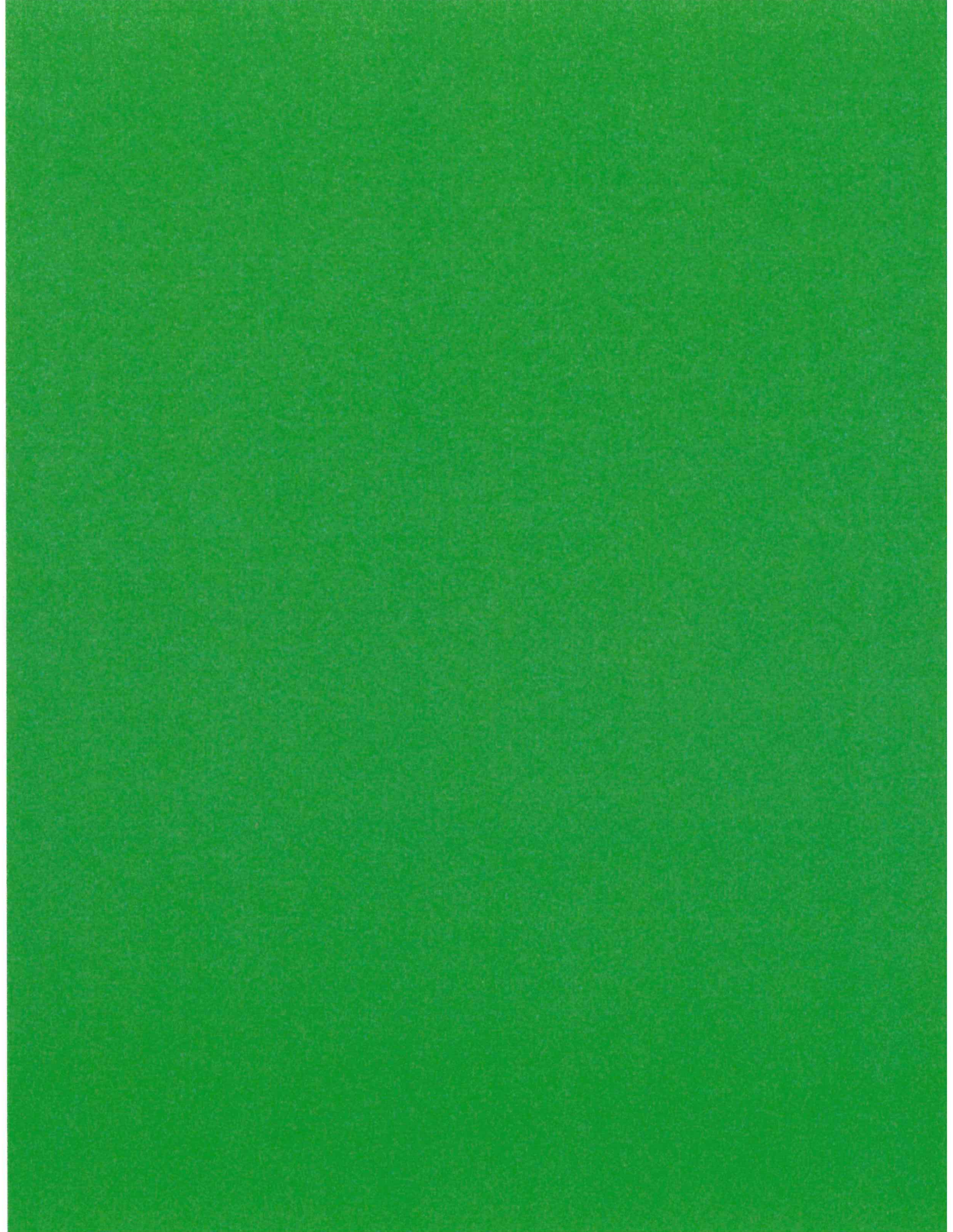
§ 9.04.014. Sexually oriented business.

Owner's/Operators Permit (sexually oriented business license)	
Original	\$3,000.00
First renewal	\$2,250.00
Second renewal	\$1,500.00
Third and subsequent renewals	\$750.00
Employee License	
Original	\$300.00
First renewal	\$250.00
Second and subsequent renewals	\$100.00

(Ordinance 2020-0225-03 adopted 2/25/20)

§ 9.04.015. Reserved

§ 9.04.016. Reserved





4.3

Date: June 4, 2024

Subject: Regular Agenda Item

Item: Discussion, consideration, and possible action regarding funding a project with National Fitness Campaign and Blue Cross Blue Shield for a Fitness Court Studio.

Department: JEDC

Staff Member: Traci Anderson

Justification:

National Fitness Campaign reached out to Jarrell to see about helping put a Fitness Court/Studio in our community. They currently have one in Leander and Pflugerville.

This is the largest Public-Private Wellness Partnership in America. They partner with municipalities, schools and sponsors over \$100 M in Public-Private Investments to combat obesity and the burdens of sedentary lifestyles. Their mission is to build healthy communities with the goal of bringing the world's best outdoor gym – The Fitness Court – within a 10-minute bike ride of every American.

Their team of experts provide members support in gaining community consensus, gathering funding, site selection, masterplanning, installation, press and media, ambassador training, a mobile app, and much more.

Here is the link to the Campaign Video:

<https://nationalfitnesscampaign.com/watch>

Funding:

Cost: up to \$265,000

Source of Funds: Jarrell EDC Budget Line Item: Will need to do a budget amendment

Outside Resources: A grant fund between \$30k - \$50k



Background Information:

Danielle and I have met with the National Fitness Campaign rep and thought this would be a good idea to bring to Jarrell.

JEDC has the funding to make this project come to fruition. It would also be an opportunity to have a competition with the school district on the artwork located on the studio.

They partner with Blue Cross Blue Shield for a standard design artwork. You can pay an additional \$25k to have a local artist design the artwork. The local artist that is chosen would receive \$5k and their photo and bio on the wall. We can break it down to have two recipients win. We could choose a theme for the design and have the students compete for a “scholarship”.

Step 1: Leadership Support – We are doing this now and getting buy-in that this would be supported. If the Board approves, we will take to city council to determine if they would support our efforts in moving this forward.

Step 2: Sites – We would identify sites that meet the criteria to get the max grant funding for the project. (Visible, Connected, Accessible)

Step 3: Funding Match – There is grant funding available at \$30k - \$50k per site. We are told we are potentially good to get the upper end of the grant funding and the sooner we get in for the year, that better than chance would be.

Step 4: Qualify for Grant – Pre-application phase, grant award, build/site plan, launch local campaign

At the May 14, 2024 JEDC Board meeting, the Board asked the following questions and the answers are included.

Board Questions:

Q: Is there a tax write-off to someone donating the land?

A: NFC does not handle anything to do with this. If the land is donated, that would be between the city/edc and that property owner to handle the details. If we have to buy land, that would be on us as well.





Q: Is the city required to maintain?

A: Yes, the city would be required to maintain. This is designed to be a low maintenance item. They stated that typically maintenance consists of cleaning the fitness pad which can be power washing as needed or brushing off debris monthly/as needed. They have cities that also do an annual inspection of the equipment. If the artwork gets graffiti, it is made in such a way that you should be able to clean them with soap and water.

Q: Can more than one project be in the community?

A: Yes. Jarrell is certainly welcome to apply for multiple Fitness Courts/Studios for the 2024 funding cycle. Mutli-site grants are available in excess of \$100,000 if that is something the EDC Board and Council are interested to pursue.

Q: When is it required to have the completion of the project?

A: It has to have confirmation of entity funding by October 31 in the grant year. The sooner, the better to ensure grant funds are available. However, there can be some reasons the installation and art, etc are delayed. If delayed, they said projects have generally been completed within the 1st quarter , no later than 1st half of the following year.

Additional Questions:

Q: What type of storage is needed?

A: They will deliver the studio/court and until such time it gets put together, a storage place is required. The Fitness Court Studio would require a 15' x 20' storage area, rather than the 15' x 15' indicated on the document for the Fitness Court.

Q: What is required to unload into storage?



A: With no loading dock, we would need to rent or use an industrial pallet jack and have 4-5 people assisting.

Q: What is needed for the concrete slab?

A: There is a document to walk through this that is attached. They have the requirements so we can get with local contractors to see if any would do in-kind donations or low cost.

Q: Is there anything done for in-kind donations?

A: Names of all those who do any kind of donations can be put on the mural.

Q: When do sites have to be submitted and what is the criteria?

A: This will be part of the application process and multiple sites can be submitted. They will review and approve/not approve the sites that are submitted. Once receive the approved sites, it would be up to the community to determine which site(s) they would like to move forward with.

Next Steps / Proposed Timelines:

- 1) EDC Board meeting on 5.14 – determine the interest of the Board; Board is interested in moving this forward
- 2) Council meeting on 6.4 – determine the interest of the council to let the EDC fund this project
- 3) Work through the application process with NFC
- 4) Publish notice of a public hearing (put notice in the week prior to the public hearing of the EDC Board); JEDC would have to wait the 60 days from published notice prior to expending the funds for the project
- 5) JEDC holds a public hearing and JEDC approves the project (potentially in July)
- 6) Once approved by JEDC take to City Council for their approval (potentially in August)





- 7) Would need a performance agreement and budget amendment for approval by EDC and Council

Public Comment: N/A

Supporting Documentation:

Briefing

Art Standards

Site Design Guidelines document

Shipping + Delivery Guidance document

Concrete Slab drawings for the Fitness Court Studio





CAMPAIGN BRIEFING

WELCOME



AMERICA'S LARGEST PUBLIC-PRIVATE WELLNESS PARTNERSHIP

CELEBRATING 500TH
Healthy Community this Year



NOW FUNDED
to welcome 1000 Healthy
Communities by 2025

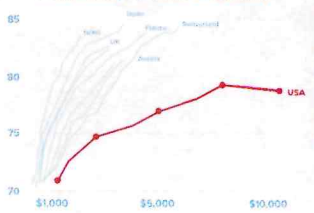
CAMPAIGN MISSION: to Build Healthy Communities



WHY THE CAMPAIGN DOES IT TO MAKE WORLD CLASS FITNESS FREE



Life Expectancy vs Health Expenditure



UNDERSTANDING THE PROBLEM

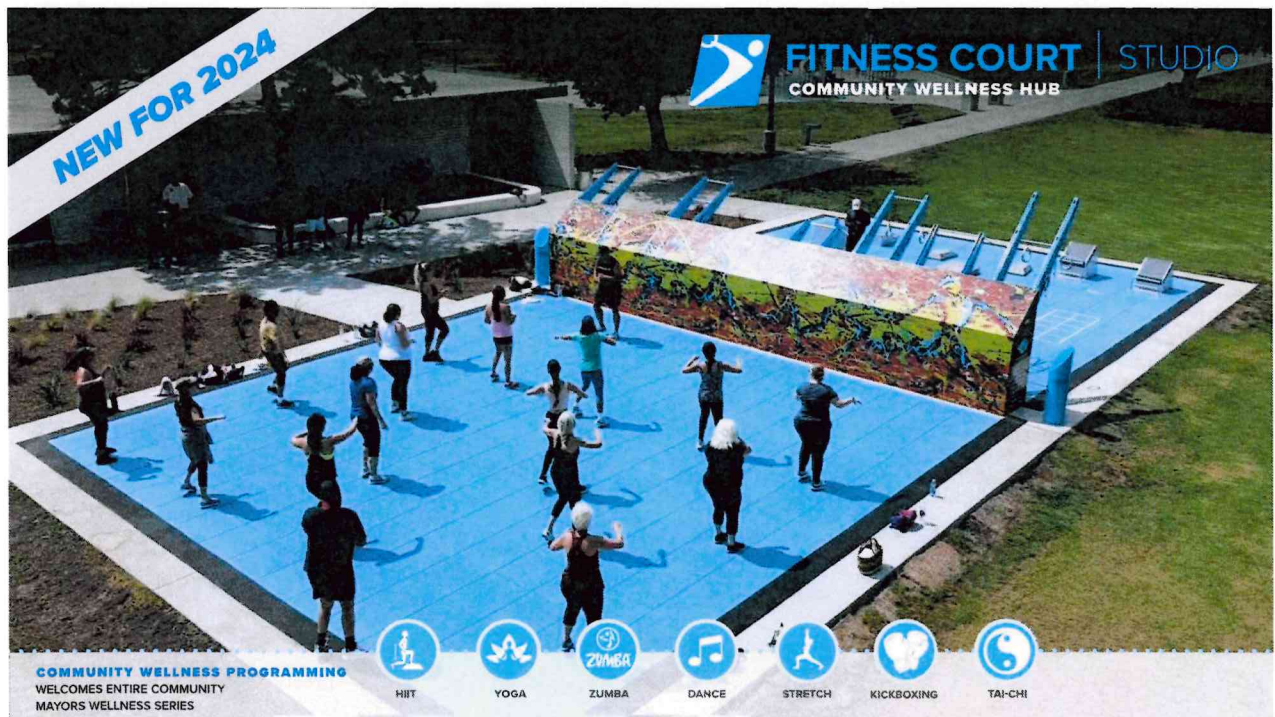
AMERICA IS FACING A HEALTH CRISIS CAUSED BY SEDENTARY LIFESTYLES AND CITIES DESIGNED FOR CARS. USA SPENDS MORE MONEY THAN ANY OTHER ON HEALTHCARE WITH POOR RESULTS.

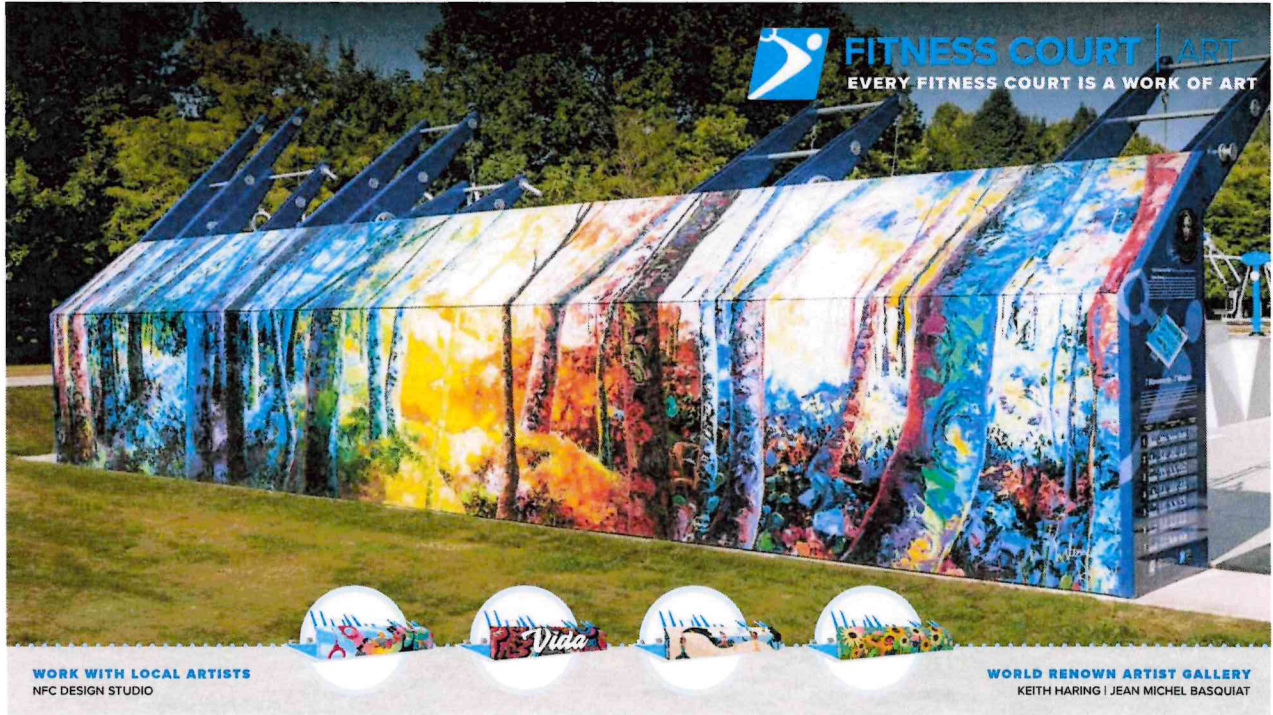


BECOMING THE SOLUTION

WHEN COMMUNITIES ARE DESIGNED TO SUPPORT WELL-BEING, HEALTH OUTCOMES CHANGE!







WORK WITH LOCAL ARTISTS
NFC DESIGN STUDIO

WORLD RENOWN ARTIST GALLERY
KEITH HARING | JEAN MICHEL BASQUIAT

Fitness Court® Public Art

2024 NFC State Sponsor Art Collection
No Additional Funding Required

EACH FITNESS COURT® IS A ONE-OF-A-KIND WORK OF ART.

NFC DESIGN STUDIO

Additional Funding Required:
\$10,000



LOCAL ARTIST

Additional Funding Required:
\$25,000



FEATURED ARTIST

Additional Funding Required:
\$50,000



2023 JEAN-MICHEL BASQUIAT

1. BE A PART OF THE NATIONAL FITNESS CAMPAIGN
AMERICA'S LARGEST PUBLIC PRIVATE WELLNESS PARTNERSHIP

2. HEALTH BENEFITS
MORE TIME OUTDOORS, IMPROVED MENTAL & PHYSICAL WELLBEING

3. HEALTHY INFRASTRUCTURE
PLACES DESIGNED FOR PEOPLE NOT CARS

4. BUILDING COMMUNITY
CREATING A WELLNESS CULTURE THAT IS SOCIAL, CONNECTED AND FUN!

5. REDUCED HEALTHCARE COSTS
HEALTHIER, HAPPIER, PEOPLE

NATIONAL FITNESS CAMPAIGN
CAMPAIGN IMPACT | NFC
BUILDING HEALTHY COMMUNITIES

2024 TEXAS CAMPAIGN
PRESENTED BY

BlueCross BlueShield of Texas

NATIONAL FITNESS CAMPAIGN

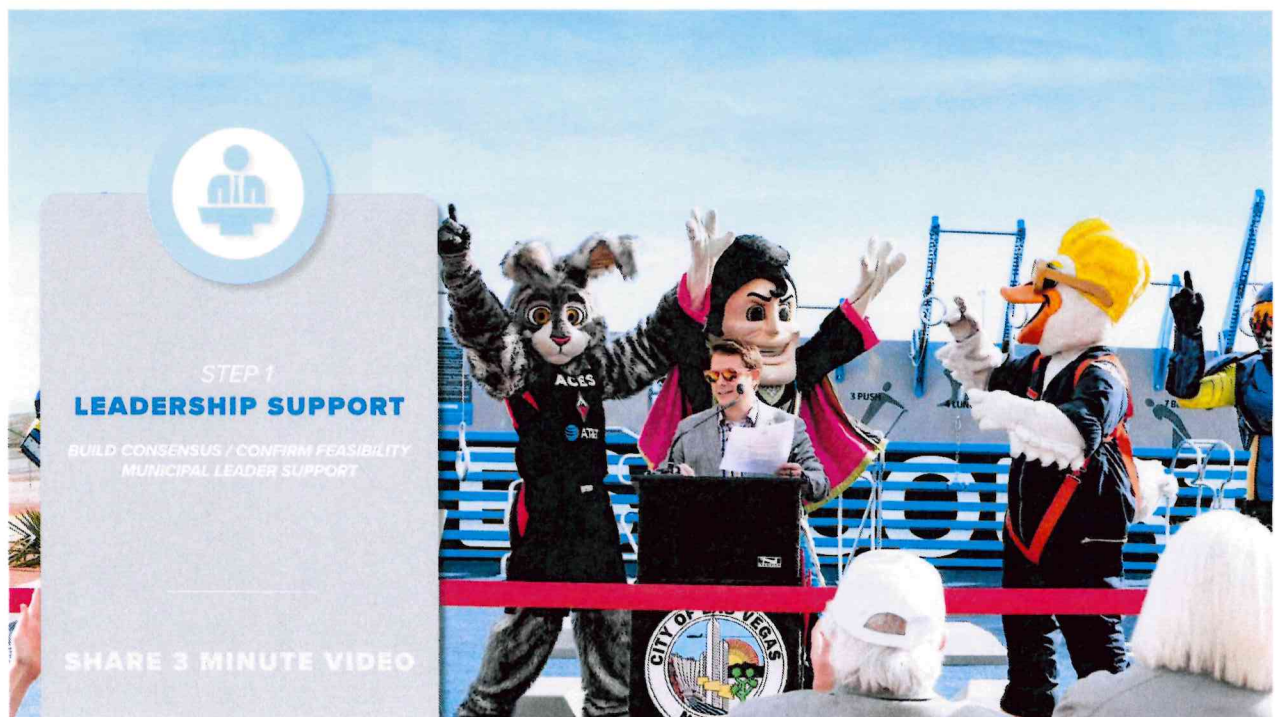
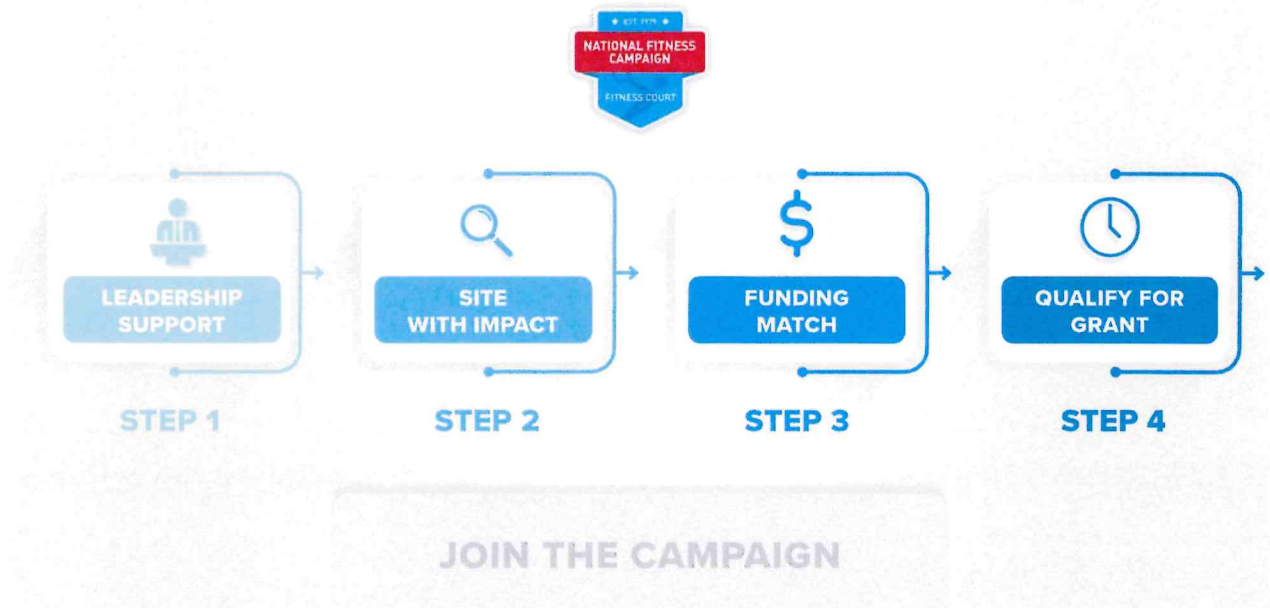
Strategic Plan Adopted for Health Impact Across State

Limited funding for 20 communities in 2024

\$1,000,000 in Funding Now Available for Qualified Site Partners

NFC Grant Requirements

Program Qualification





STEP 2
SITES WITH IMPACT

IDENTIFY SITES THAT MEET CRITERIA
FOR FUNDING

HEALTHY INFRASTRUCTURE PLANNING
• VISIBLE • CONNECTED • ACCESSIBLE •

SUBMIT SITES FOR
CONSIDERATION



STEP 3
FUNDING MATCH

NFC GUIDES FUNDING PLAN
CIP • STATE/NATIONAL • LOCAL SPONSORS

**GRANT FUNDING AVAILABLE:
\$30,000-\$50,000 PER SITE**

GRANT FUNDING TYPICALLY SUPPORTS ABOUT
1/3 OF FUNDING REQUIREMENT

PROGRAM FUNDING REQUIREMENT
\$150,000-\$225,000
PER SITE




JOIN US

LET'S BUILD HEALTHY COMMUNITIES TOGETHER

Discussion - Q&A

NEXT STEP

 ATTEND PARTNERSHIP QUALIFICATION CALL IF APPROPRIATE

DISCUSSED AT NEXT STEP:

1. FEASIBILITY & ALIGNMENT WITH LOCAL PRIORITIES
2. SITE ANALYSIS & LOCATION OPTIONS FOR FUNDING CONSIDERATION
3. FUNDING REQUIREMENT DETAILS AND GRANT PROGRAM & AVAILABILITY FOR YOUR STATE
4. NON-BINDING GRANT QUALIFICATION PROCESS

STEP 3

2024 CAMPAIGN FUNDING REQUIREMENT



FITNESS COURT | STUDIO

NFC PROGRAM FUNDING
The Fitness Court® Studio and National Campaign Services **\$ 195,000**

NFC Grant Funding Award
(\$30,000-\$50,000)

Fitness Court® Studio Art Options: (note: powder-coating color and included art design dependent on state sponsor)

Design Studio Standard Art Included

Local Artist \$25,000

OPTIONAL

NFC PROGRAM TOTAL **\$ 145,000-165,000**

CONCRETE SLAB (FULL STUDIO DIMENSIONS 38X76) est. \$ 0-40,000
Can be performed in-house or in-kind

NFC APPROVED INSTALLER NETWORK INSTALLATION TEAM
Turn Key Fitness Court Assembly **\$ 32,500**
Art & Graphic Installation With Prevailing Wage Rates: \$34,500
Installation Partner (separate agreement)

INSTALLATION & CONCRETE TOTAL ESTIMATE **\$ 32,500-72,500**

FITNESS COURT STUDIO & INSTALLATION TOTAL ESTIMATE AFTER \$50,000 GRANT FUNDING
\$ 217,500*

*Assumes concrete pad costs of \$40,000 (national average) and includes Standard Art

FITNESS COURT®

NFC PROGRAM FUNDING
The Fitness Court® and National Campaign Services **\$ 160,000**

NFC Grant Funding Award
(\$30,000-\$50,000)

Art & Custom Color Options

NFC Standard Included

NFC Design Studio \$10,000

Local Artist \$25,000

Featured Artist \$35,000

OPTIONAL

NFC PROGRAM TOTAL **\$ 110,000-130,000**

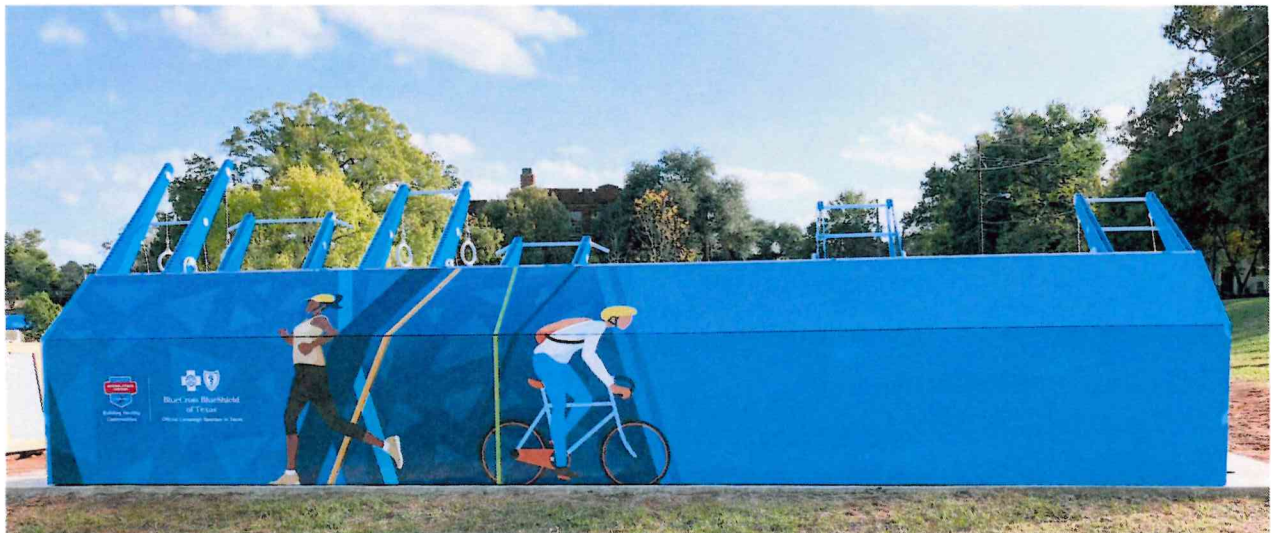
CONCRETE SLAB est. \$ 0-20,000
Can be performed in-house or in-kind

NFC APPROVED INSTALLER NETWORK INSTALLATION TEAM
Turn Key Fitness Court Assembly **\$ 25,000**
Art & Graphic Installation With Prevailing Wage Rates: \$27,000
Installation Partner (separate agreement)

INSTALLATION & CONCRETE TOTAL ESTIMATE **\$ 25,000-47,000**

FITNESS COURT & INSTALLATION TOTAL ESTIMATE AFTER \$50,000 GRANT FUNDING
\$ 155,000*

*Assumes concrete pad costs of \$20,000 (national average) and includes Standard Art



2023 NATIONAL FITNESS CAMPAIGN
ART STANDARDS

BLUE CROSS AND BLUE SHIELD OF TEXAS FITNESS COURT®
TEXAS CAMPAIGN





Note from NFC

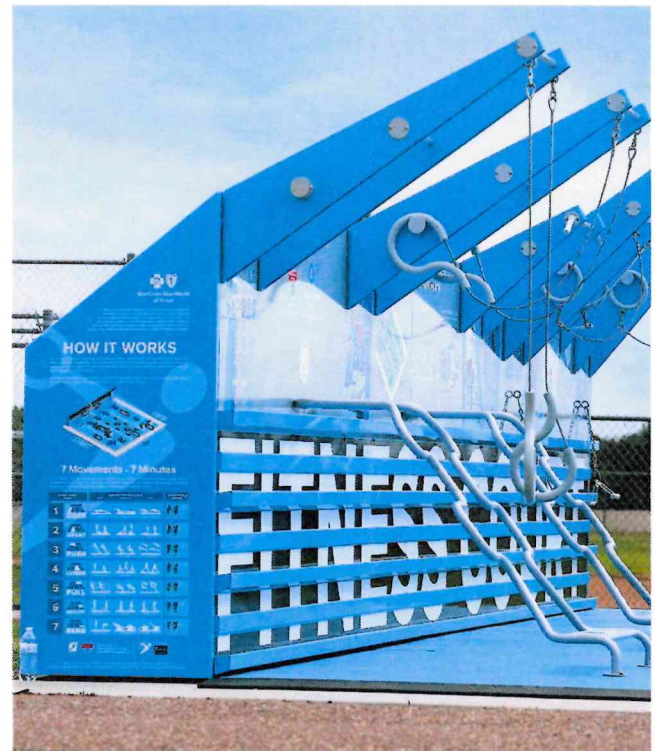
2023 National Fitness Campaign Art Standards Best Practices for Fitness Court® Art

With the experience and feedback gained from building Fitness Courts® across the country, NFC has developed new campaign standards for all Fitness Court® Artwork. These standards are set and applied to all State Sponsors across the campaign. NFC has considered both design and installation perspectives in these new standards. Observation of these standards lays out the most efficient timeline for our city and school partners to build Fitness Courts® within the campaign year.

All NFC Approved Installation teams have been trained to install the Fitness Court® graphics per these standards.

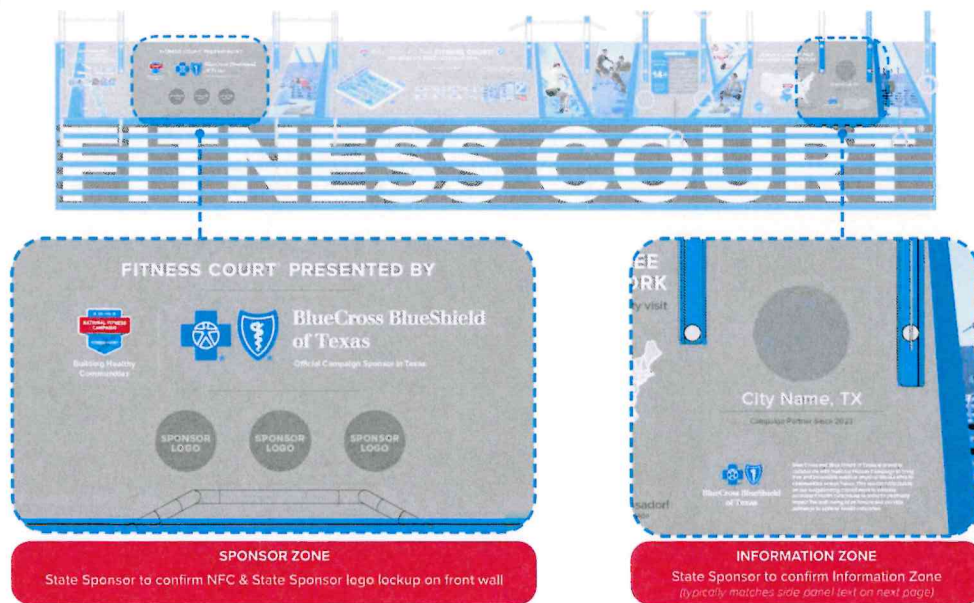
Texas Campaign

NFC has utilized the Blue Cross and Blue Shield of Texas brand standard and guidelines to create the BCBSTX and NFC logo lockup. This lockup is used throughout the Fitness Court. BCBSTX brand standards were also used to design the back wall. This document should be reviewed to confirm all brand guidelines are met and approved.



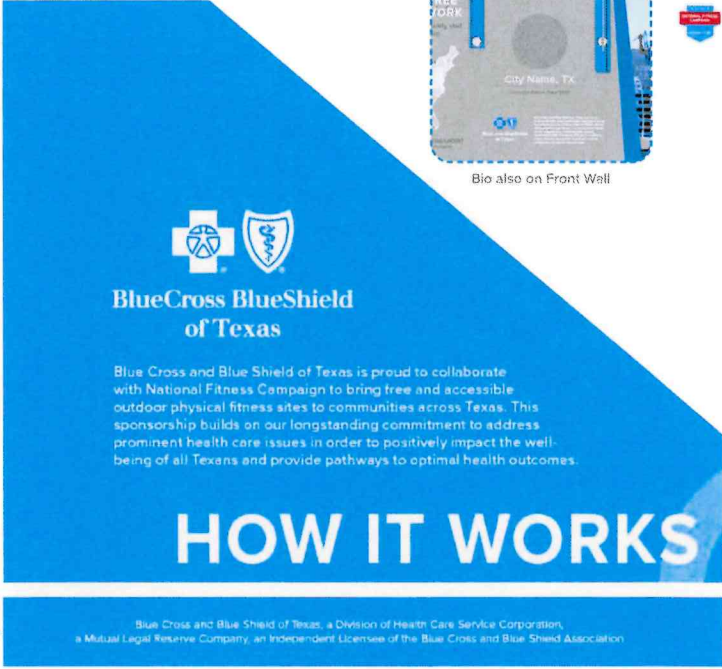
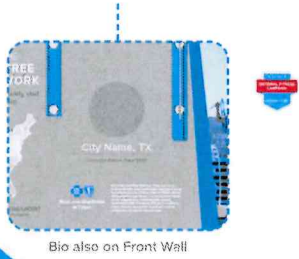
SPONSOR WALL CUSTOMIZATION

Front Wall



SIDE PANELS
Sponsor Bio & Logo

STATE SPONSOR TO CONFIRM BIO ON SIDE PANEL



SELECTED STANDARD FITNESS COURT® ART
2023 Texas Campaign

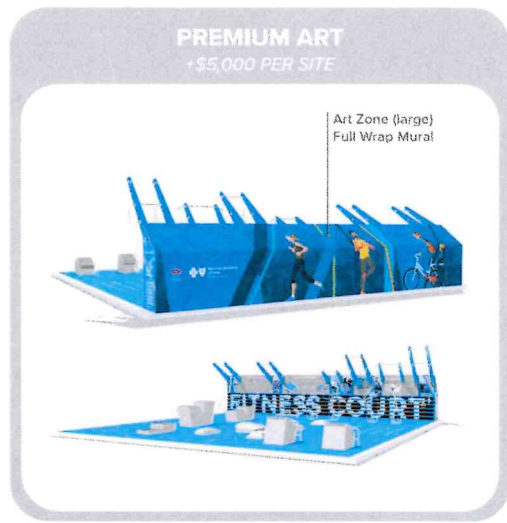
Each site partner in the state campaign will receive this design unless it is a special exemption which would include a VIP site, Local Artist Program, Design Studio Program, or Education Program.

Exemptions are outlined in the following pages.



STATE SPONSOR TO CONFIRM STANDARD ART DIRECTION

FITNESS COURT® MURAL ART
Back Wall Design Options



VS

State Sponsor to select Art Tier that will be the designated art provided to all city/school partners across the state.
Standard Art Tier = \$0 No Additional Funding Required Premium Art Tier = \$5,000 Additional Funding Required per Site



Note from NFC

2023 Unique Design Standards

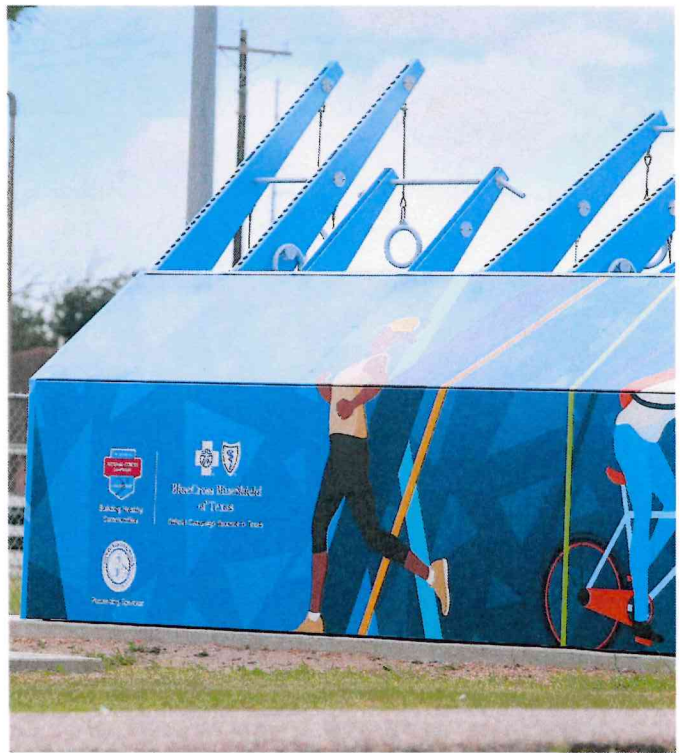
Limited Uses Each Campaign Year

As part of NFC's 2023 National Art Standards, new applications have been developed for special partner uses. NFC is providing options for local site partners to harness the power of art in their community. These options require additional funding that is provided by the city. The following design standards allow the city/school to customize their mural wall while still maintaining state sponsor recognition.

These standards are carried throughout each state campaign across the country. The State Sponsor will be notified in advance of a unique case, and will give final approval prior to any artwork sent to print. It is estimated to have limited cases per campaign year. The majority of site partners will utilize the approved standard campaign design.

Unique Design Standards

- 1) Local Artist Program
- 2) Design Studio Program
- 3) Education Site Partner



LOCAL ARTIST PROGRAM STANDARD

Nationwide Standard Supporting Local Artists Beginning in 2023

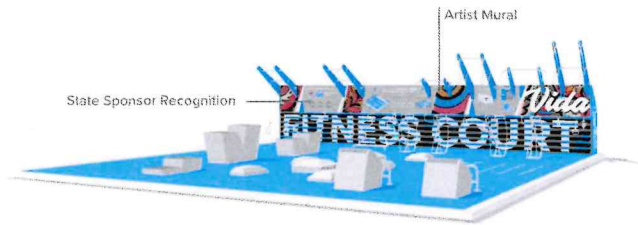
This design standard is available for local site partners who would like to fund a Local Artist to create a one-of-a-kind Fitness Court®, contributing a storytelling opportunity and bringing public art to the rear mural wall of the Fitness Court®.

State Sponsor will be recognized across design, integrated into art per national standards. State Sponsor will have final approval rights for all local artist series proposals, which will include thematic requirements to match the State Sponsor powder coating color as a powerful representation of the state campaign.

Estimated only 1-2 site partners per year who would like to fund local art, which creates diversity and storytelling opportunities uniting art and fitness across the state. The city-provided fund includes a special grant to the artist.



Local Artist Side Panel



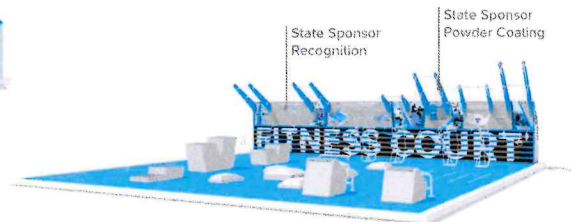
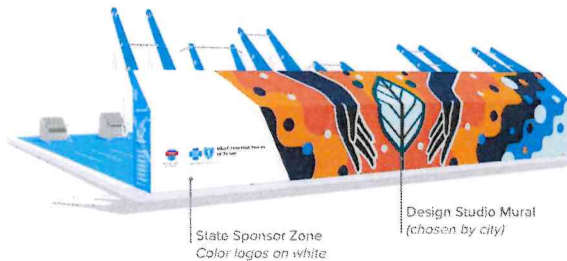
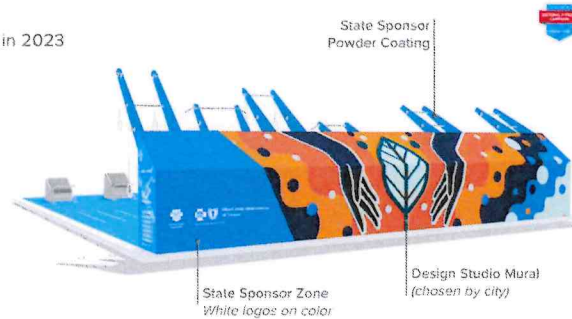
SPONSOR ZONE TO BE APPROVED BY STATE SPONSOR

DESIGN STUDIO PROGRAM STANDARD

Nationwide Standard Supporting Site Partner In-House Art Beginning in 2023

This design standard is available for local site partners who have a concept for unique art and placemaking on their Fitness Court, and would like to fund a localized mural, that is not supported by the Local Artist Program and typically a city design. NFC Design Studio to support design concept. Design to integrate State Sponsor color, and be approved by State Sponsor.

Estimated to be used in rare cases with unique requirements (0-1 site partners per year), adding further localization and storytelling opportunities uniting art and fitness across the state.



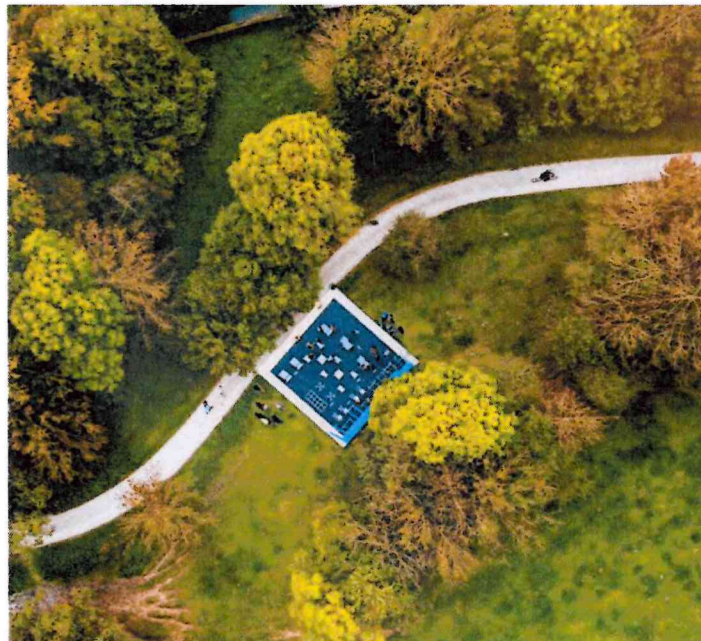
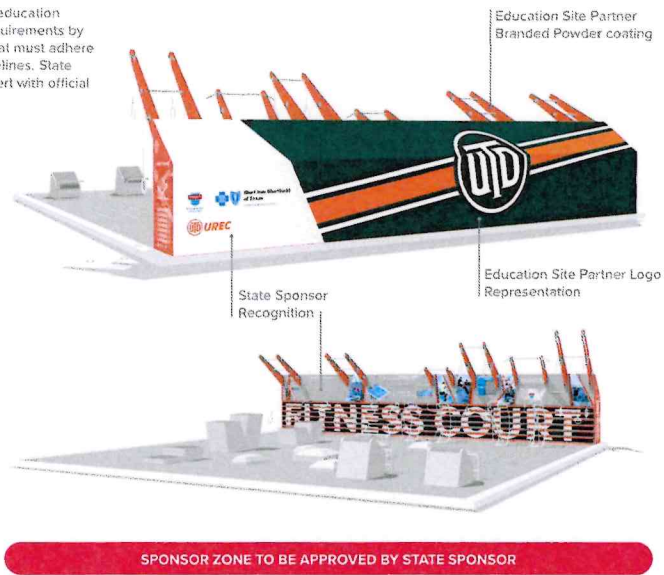
SPONSOR ZONE TO BE APPROVED BY STATE SPONSOR
Both sponsor zone typologies to be approved for use

EDUCATION PROGRAM STANDARD

Nationwide Standard Supporting Education Partnerships Beginning in 2023



This design standard is used for every education partnership in support of strict local requirements by schools regarding colors and visuals that must adhere to their specific campus branding guidelines. State Sponsors recognition provided in concert with official education logos and visuals.



DESIGN GUIDELINES SITE PLANNING CRITERIA

Strategies and Tools for successful Fitness Court Integration



Site Planning Key Factors + Requirements

The following strategies are noted to help guide the placement of a Fitness Court within the selected location. After the site is determined, there are several key factors to consider when placing the Fitness

Court™ under the park name. These tools are meant to be employed in all instances that will help guide and inform all planning processes that ensure the ideal location within the park or along a trail is identified

leading to higher usage of the Fitness Court over time, and encourages the maximum number of users



LOCATION

When possible, the Fitness Court™ should be placed along an active local or regional trail. Significant natural elements such as a bluff or water, and a prominent location. It is also recommended to situate the Fitness Court™ within a cluster of existing park amenities such as basketball or tennis courts, soccer field, or other similar recreation amenities.



ORIENTATION

The Fitness Court™ should be oriented in a way that provides the greatest visibility to adjacent park users. The Fitness Court™ should not face a wall or fence. See below for further explanation. Fitness Court™ should be perpendicular to wall to mitigate safety and visibility concerns.



BUFFER ZONE

The Fitness Court™ should not be located within 25' of a wall or fence. This restriction all refers to the back metal wall and could potentially create unsafe zones near the Fitness Court. Setbacks between 80'-100' are encouraged as no 6" curb to deal with certain site grading conditions ideally a 2-3' buffer is maintained between the Fitness Court, and sidewalk or curb.



SAFETY

The Fitness Court™ should be placed in an area of the park that can be monitored by surrounding residential and civic land users. This helps serve "eyes on the facility" at all times of day and ensures there is no misuse occurring during off peak hours. In addition, when placed in less ideal locations, there will be fewer opportunities for graffiti tagging and other defacement of city property.



VISIBILITY

In order to ensure the safety of its users, the Fitness Court™ should be positioned in a way that does not obstruct sight-lines onto the front of the facility. Fitness Courts™ should be placed parallel to walkways, and face outward for maximum view sheds.



Site Planning Key Factors + Requirements



CONNECTIVITY

Active regional trails help connect neighborhoods to parks and other recreational amenities. When available, Fitness Courts™ should be placed no more than 10' from an active trail to encourage users along the path of travel. In instances where multiple Fitness Courts™ are located within a city, this begins to connect the network promoting health and wellness in the locale.



DISTANCE

All Fitness Courts™ should be placed 150' away from a play ground or BGC facility. This setback requirement should help deter children from playing on the Fitness Court™ and prevent key lead waste or not casts on the surface itself. Exceptions can be made in certain situations where site constraints are present or there is proper fencing or flood zone buffers around the adjacent park uses to discourage use by individuals 14 and under.



SITE INFRASTRUCTURE

Once the Fitness Court™ is constructed, we encourage partners to integrate other site furnishings such as bike racks, water fountains, benches, shade structures, sight lighting, etc. This can extend the usefulness of the Fitness Court™ into the evening hours and during hot summer months.



LAND USE

The Fitness Court™ is designed for users 14+. It should be placed in an appropriate land use designation that encourages high use (ie. parks, along trails, high schools, colleges, etc). The Fitness Court should not be placed near an elementary school, middle school or youth park. It should be placed in a well-used park areas that have few amenities such as a basketball courts, tennis courts, or professional field.



Do's and Don'ts | Case Studies

Below are a series of case studies for the Fitness Court™. This is meant to be a quick planning tool for all partners to help determine the most appropriate placement and finishing of the Fitness Court™ in instances where the proposed location is unclear.

The NRC design team will assist in further understanding implications of the discussed sites.

The NRC design team will assist in further understanding implications of the discussed sites.

Best Use Cases for Fitness Court Placement

ACCESS Walking + Cycling Infrastructure



Required to have direct access to the Fitness Court™ from the adjacent trail for ADA purposes.



Don't place the Fitness Court™ in an undeveloped open space. Future park master plans must be updated and funding secured if considering an undeveloped site.

LOCATION Proximity



Do place the Fitness Court™ near active trail, cycling, or walking zone.



Don't place the Fitness Court™ near a playground or splashpad facility.

ORIENTATION + SAFETY BUFFER Setbacks + Distances

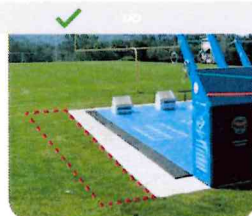


Do place Fitness Court™ at least 25' away from vertical structure or back wall any type of fencing. The Fitness Court™ should be oriented perpendicular to the vertical surface. Do create open view shed around Fitness Court™.

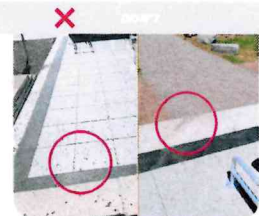


Don't place the Fitness Court™ directly up against a fence or wall. This creates zones where individuals could potentially hide which could encourage misuse of the Fitness Court™ or lead to vandalism of city property.

EDGE CONDITIONS Surrounding Surfaces



Acceptable edge conditions include grass, landscape planting, mulch, hardscape or other natural surfacing material.



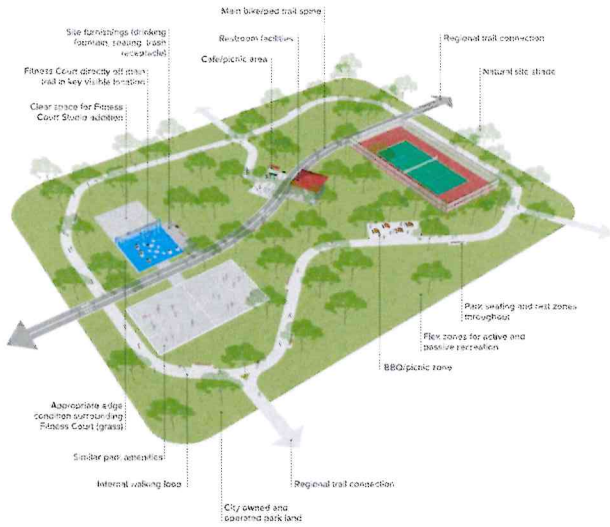
Unacceptable edge conditions include gravel curbs and decomposed granite. This poses a trip and fall hazard.

Conceptual Park Design: Fitness Court Integration

The graphic below details an ideal scenario for the placement of the Fitness Court. It is along a linear trail corridor, has adequate space to the grass area behind for a Studio Fitness Court expansion, is adjacent to other park

recreation opportunities, and integrates various site furnishings to complement the Fitness Court. In addition there are several regional trail connections and a nice internal walking loop trail for users to enjoy. There are on site restroom

facilities and a seating area that is spaced appropriately away from the Fitness Court to avoid food and beverages from spilling on the surface.

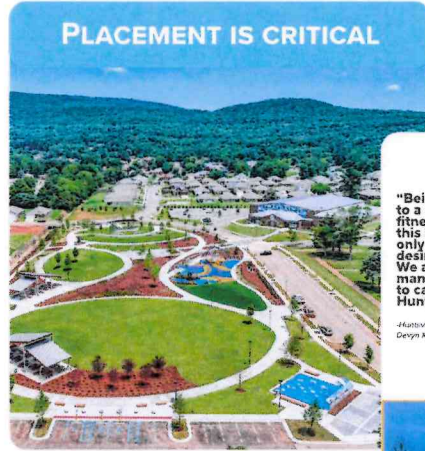


Free, Fun and Fully Accessible Fitness Court Network

Acceptable Adjacent Amenities



Unacceptable Adjacent Amenities



"Being able to walk to a state-of-the-art fitness center and now this beautiful park, only enhances the desirability of the area. We are proud to see so many people choosing to call Northwest Huntsville home."

-Kathleen Al, District Council Member
Devin Keith



National Fitness Campaign
San Francisco, CA
Tel. 415.702.4519
Nationalfitnesscampaign.com
info@nfcq.com



The Fitness Court® - Shipping and Delivery Information

Information below is designed to familiarize you with the storage, unloading and packaging of the Fitness Court, to help identify an appropriate location for acceptance of delivery. Feel free to reach out to your Planning and Design Manager with any questions.

Total Weight

11K lbs. = 1,500 lbs. (Large Crate) + 1,100 lbs. (Small Crate) + 3,400 lbs. (Court Boxes) + 5K lbs. (Tile Pallets)

Packaging

The Fitness Court® will arrive in two crates (53" x 96" x 29" and 36" x 85" x 29"), with an additional 41 boxes outside of the crate, some on pallets.

The Fitness Court® Tile and the Fitness Court Installation Kit will arrive on 3 additional pallets, wrapped separately.

Storage

The approximate storage space requirements are 15' x 15'. In most cases, we recommend indoor storage, as the cardboard boxes are susceptible to weather damage.

IMPORTANT

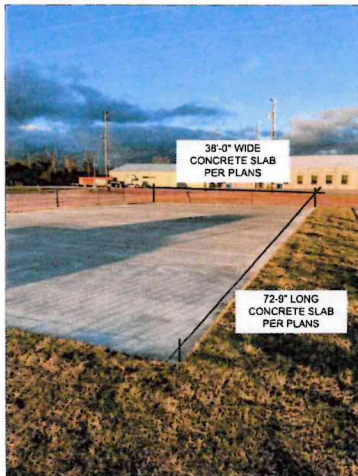
For unloading, you will want to have 4-5 people and a loading dock. A forklift is required.

IF YOU DO NOT HAVE A LOADING DOCK: You will also need an industrial pallet jack, rated for at least 3,000 lbs, to transport the crates and pallets to the edge of the truck, for the forklift to unload.

Photos 1 & 2 : Court loaded for shipment Photo 3: Typical storage configuration



NFC STUDIO FITNESS COURT CONCRETE SLAB DRAWINGS MINIMUM STANDARDS



SCOPE:

PROVIDE CONCRETE SLAB FOR USE WITH OUTDOOR FITNESS FLOORING AND EQUIPMENT. INSTALL PER THESE SPECIFICATIONS TO ENSURE COMPLIANCE WITH ADHESIVE MANUFACTURER'S REQUIREMENTS.

PROVIDE A MINIMUM OF 4" THICK CONCRETE SLAB PER PLANS. MINIMUM DIMENSIONS ARE 38'-0" WIDE X 72'-9" LONG. SEE SITE SPECIFIC PLANS AND / OR ENGINEERING PROVIDED BY OTHERS IF DIFFERENT.

SEQUENCE OF CONSTRUCTION:

1. REVIEW ALL DRAWINGS INCLUDING ALL NOTES TO BECOME FAMILIAR WITH SEQUENCE AND DETAILS.
2. DURING INSTALLATION SEQUENCE, REFER TO AND COMPLY WITH APPLICABLE NOTES.
3. PREPARE AREA BELOW SLAB WITH WITH COMPACTED SOIL AND GRAVEL PER PLANS.
4. BUILD FORMS FOR OUTER PERIMETER OF THE SLAB WITH DIMENSIONS PER SLAB PLAN AND SELECTED WIDTH OF OUTER BAND AROUND FITNESS COURT AREA.
5. INSTALL REINFORCEMENT STEEL PER PLANS.
6. PLACE SPECIFIED CONCRETE PER PLANS (4" MINIMUM).
7. FINISH CONCRETE TO THE SLOPE SPECIFIED FOR DRAINAGE.
8. APPLY SPRAYLOCK PER MANUFACTURER'S SPECIFICATIONS WITHIN 24 HOURS OF CONCRETE POUR.
9. PROVIDE CONTRACTION JOINTS WITHIN 24 HOURS OF CONCRETE POUR.
9. INSTALLATION OF FITNESS WALL, FITNESS FLOORING, AND ALL EQUIPMENT BY OTHERS.



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NATIONAL FITNESS CAMPAIGN
SAN FRANCISCO, CA

SHOWING NAME
FITNESS COURT
STUDIO
FOUNDATION
PLAN-TILE
FLOORING
REV. C.0.0
(3/10/23)
Drawn By: TH
Checked By: GH
Engineer of Record
Walter Greenwood
P.E.

SHEET #:

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CONCRETE SLAB MINIMUM SPECIFICATIONS

(FOR FLAT TOP SLAB / TILE FLOOR INSTALLATION)

NOTES:

CONCRETE:

1. PROVIDE 4" TO 6" OF CRUSHER RUN GRAVEL AS SHOWN IN SECTION DETAIL.
2. SOIL TO BE COMPACTED TO MEET THE REQUIREMENTS OF 95% MODIFIED PROCTOR.
3. SLAB DESIGN BASED ON SOIL CLASS 0 - 1500 PSF CAPACITY.
4. ALL SLAB CONCRETE TO BE 4000 PSI AT 28 DAYS (CONCRETE STRENGTH REQUIREMENT). A HIGH EARLY MIX MAY BE UTILIZED ONLY IF THE MIX DESIGN IS APPROVED BY THE ENGINEER.
5. CEMENT SHALL CONFORM TO ASTM C 150, TYPE II.
6. FINE AGGREGATE SHALL CONFORM TO ASTM C 33.
7. COARSE AGGREGATE SHALL BE GRAVEL OR CRUSHED STONE CONFORMING TO ASTM C 33. COARSE AGGREGATE FOR FLOOR SLAB SHALL NOT EXCEED 1/2" AT ITS MAXIMUM WIDTH.
8. WATER SHALL BE CLEAN AND FREE FROM INJURIOUS AMOUNTS OF OILS, ACIDS, ALKALIES, ORGANIC MATERIALS OR DELETERIOUS SUBSTANCES.
9. AIR ENTRAINING ADMIXTURE SHALL CONFORM TO ASTM C 260.
10. CALCIUM CHLORIDE ADMIXTURES, THIOCYANATE ADMIXTURES OR ANY ADMIXTURES CONTAINING MORE THAN 0.5% CHLORIDE IONS ARE NOT PERMITTED.
11. REINFORCING STEEL AND CONCRETE TO BE PLACED IN ACCORDANCE WITH ACI 318 LATEST EDITION.
12. THE ALLOWABLE CONCRETE SLUMP SHALL BE 3" PLUS OR MINUS 1/2" UNLESS SUPERPLASTICIZERS ARE USED. THE ENGINEER SHALL APPROVE SUPERPLASTICIZER USE.
13. AS REQUIRED BY OWNER, SLUMP TEST SHALL BE MADE IN ACCORDANCE WITH ASTM C 143.
14. NO CONCRETE SHALL BE PLACED WHEN THE ATMOSPHERIC TEMPERATURE IS BELOW 40° F WITHOUT PERMISSION OF THE ENGINEER.
15. AVOID HOT WEATHER CONCRETE PLACEMENT. CONCRETE PROVIDER TO PROVIDE HOT WEATHER CONCRETE PLACEMENT PLAN FOR CONCRETE PLACED IN TEMPERATURE IN EXCESS OF 90 DEGREES.
16. THE ENGINEER OR THE OWNER MAY ACCEPT OR REJECT ANY WORK THAT DOES NOT MEET THE REQUIREMENTS OF THESE NOTES OR THE PROJECT DRAWINGS.
17. AS REQUIRED BY OWNER, CONTRACTOR SHALL MAKE ARRANGEMENTS FOR TESTING THE SLUMP, AIR CONTENT, AND CONCRETE CYLINDERS (BY A THIRD PARTY).
18. AS REQUIRED BY THE OWNER, COMPRESSIVE STRENGTH OF THE CONCRETE CYLINDERS SHALL BE TESTED AT 3 DAYS, 7 DAYS, AND 28 DAYS. APPROPRIATE NUMBER OF CYLINDERS SHALL BE COLLECTED TO PERFORM THE TESTING. CYLINDERS SHALL BE TESTED IN ACCORDANCE WITH ASTM C 39.
19. SLAB TO BE POURED IN EITHER 20' X 20' SECTIONS (MAX) OR PROVIDE 1/2" SAWCUT CONTRACTION JOINTS AT 15' MAXIMUM SPACING. SAWCUT JOINTS TO BE MADE AS SOON AS THE CONCRETE HAS CURED SUFFICIENTLY TO ALLOW THE WORK WITHOUT DAMAGING THE CONCRETE.
20. CONFIRM ANCHOR PLACEMENT PRIOR TO CUTTING JOINTS. ENSURE 12" CLEARANCE BETWEEN ANCHOR CENTERS AND JOINT AND CUT JOINTS AS SHOWN ON PLAN VIEW.

REINFORCEMENT:

1. INSTALL SLAB REINFORCING 6 X 6 X 6 WELDED WIRE MESH (WWM) PLACED IN THE CENTER OF THE SLAB TO EXTEND THROUGH ENTIRE SLAB. UTILIZE SUFFICIENT NUMBER OF CHAIRS TO MAINTAIN WWM POSITION.
2. INSTALL ADDITIONAL UPGRADED REINFORCEMENT AS REQUIRED BY LOCAL CODE. COORDINATE REBAR LOCATIONS TO AVOID ANCHORS.
3. PROVIDE VAPOR BARRIER BELOW THE SLAB. (10 MIL. MIN. W/ MIN. 12" OVERLAP AT VAPOR BARRIER JOINTS).

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CONCRETE FINISHING NOTES:

1. THE FINISHED CONCRETE SURFACE SHALL BE SLOPED AWAY FROM THE WALL. THE SURFACE SLOPE SHALL BE 1/8" PER 12".
2. THE FINISHED CONCRETE SURFACE SHALL BE SMOOTH TO PREVENT IRREGULARITIES, ROUGHNESS, OR OTHER DEFECTS THAT WOULD AFFECT THE FINISHED FLOOR SURFACE. THE SURFACE SHALL BE FLAT TO THE EQUIVALENT OF 1/8" OVER 10'.
3. THE FINISHED CONCRETE SURFACE SHALL HAVE A LIGHT BROOM FINISH TO PROVIDE THE BEST SURFACE FOR COURT SURFACE ADHESION.
4. IMPORTANT: FLOORING INSTALLATIONS REQUIRE A 28 DAY CURE TIME AFTER CONCRETE PLACEMENT. FLOORING INSTALLATIONS CAN BE ACCELERATED WITH AN APPLICATION OF "SPRAYLOCK" PRODUCT. SPRAYLOCK P3 (REFERRED) OR SPRAYLOCK SPC-327 (REQUIRED (NO EQUAL)). THE SPRAYLOCK PRODUCT WILL ALLOW FLOORING INSTALLATION AS SOON AS 14 DAYS AFTER CONCRETE PLACEMENT AND SPRAYLOCK APPLICATION. CONFIRM PRODUCT SELECTION WITH THE MANUFACTURER. APPLY SPRAYLOCK PRODUCT THE DAY OF THE CONCRETE PLACEMENT PER MANUFACTURER'S INSTRUCTIONS.

ANCHOR NOTES: (INSTALLATION OF FLOOR ANCHORS BY OTHERS)

1. FIELD VERIFY ALL ANCHOR LOCATION DIMENSIONS AND PATTERNS PRIOR TO DRILLING. SEE FITNESS COURT INSTALLATION INSTRUCTIONS FOR ANCHOR LOCATIONS.
2. DRILL THROUGH THE TILE FLOOR (1" TILE THICKNESS) WHERE NECESSARY WITH APPROPRIATE DRILL BIT TO MATCH ANCHOR HOLE IN CONCRETE.
3. SEE ANCHOR DETAILS FOR APPLICABLE CONCRETE EMBEDMENT DEPTH AND HOLE DIAMETER.
4. STAINLESS STEEL MUST BE USED WHERE SPECIFIED.
5. COMPONENTS SPECIFIED AS HOT-DIP GALVANIZED MAY BE SUBSTITUTED WITH 304 SS COMPONENTS.

GENERAL:

1. SITE PREPARATION REQUIREMENTS AND CONCRETE SLAB DESIGN SHALL BE REVIEWED BY LOCAL CIVIL OR SOILS ENGINEER TO CONFIRM SUITABILITY BASED UPON SITE SPECIFIC NEEDS AND CONDITIONS.

SPRAYLOCK SPECIFICATIONS

SPRAYLOCK IS DESIGNED TO IMPROVE AND PROTECT THE CONCRETE SLAB THROUGHOUT THE CONCRETE'S LIFE DECREASING THE PERMEABILITY OF THE CONCRETE.

WATER VAPOR MOVING THROUGH A SLAB IS A PROBLEM FOR MANY ADHESIVES AND FLOORING MATERIALS. THE USE OF THE SPRAYLOCK PRODUCT HELPS CONDITION THE CONCRETE IN PREPARATION FOR THE INSTALLATION OF OUTDOOR FLOORING TILES. SPRAYLOCK IS USED TO HELP MANAGE WATER IN CONCRETE SLABS WHICH CAN HELP MINIMIZE THE RISK OF FLOOR SYSTEM FAILURES.

SPRAYLOCK IS APPLIED TO THE SURFACE OF THE CONCRETE SHORTLY AFTER FINISHING OPERATIONS ARE COMPLETED. WHEN USED AT TIME OF PLACEMENT, SPRAYLOCK CONCRETE PROTECTION (SCP) PRODUCTS REDUCE WATER VAPOR TRANSMISSION TO THE POINT WHERE THE PERFORMANCE OF MOISTURE-SENSITIVE FLOORING, ADHESIVES, AND COATINGS ARE NOT AFFECTED AFTER FOURTEEN (14) DAYS POST-TREATMENT.

FOR ADDITIONAL INFORMATION CONTACT YOUR NFC PROJECT MANAGER.

SPRAYLOCK CAN BE PURCHASED BY CONTACTING THE NFC PRODUCT REPRESENTATIVE AT:

JOHN CALLAHAN
 Email: jcc@calcomaterials.com
 Phone: (916)399-2632

NOTE: ONLY SPRAYLOCK P3 OR SPRAYLOCK SPC 327 ARE APPROVED FOR THIS APPLICATION. NO EQUAL.

SPRAYLOCK CONCRETE PROTECTION (SCP) PRODUCTS SHOULD BE KEPT FROM FREEZING DURING STORAGE AND SHOULD NOT BE APPLIED TO CONCRETE WITH TEMPERATURES LESS THAN 40° F (4° C).



NATIONAL FITNESS CAMPAIGN
 SAN FRANCISCO, CA

DRAWING NAME:
 FITNESS COURT
 FLOORING
 FOUNDATION
 PLAN - TILE
 FLOORING

REV: 0.0
 (1/1/2010)

Date: 3/16/2012
 Drawn By: JH
 Checked By: DM
 Engineer of Record
 William Greenwell
 P.E.

SHEET #:

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STANDARD CONSTRUCTION DETAILS

<p>SAWCUT CONTRACTION JOINTS PREFERRED.</p> <p>JOINTS MAY BE CUT OR SCORED (TOOLED), MAX 1/4" RADIUS WHEN CONTRACTION JOINT IS TOOLED INSTEAD OF SAWCUT. SAWCUT JOINTS ARE PREFERRED. CUT CONCRETE AS SOON AS ABLE TO WALK ON CONCRETE - WITHIN 24 HOURS OF POUR.</p>	<p>AVOID CONSTRUCTION JOINTS WHEN POSSIBLE. WHEN USED, PLEASE FOLLOW THE REQUIREMENTS.</p> <p>DO NOT USE SMOOTH ROUND BAR. USE DEFORMED THE BAR EMBEDDED INTO BOTH SLABS.</p>	<p>DO NOT USE ISOLATION JOINTS UNDER FITNESS WALL OR TILE WITHOUT WRITTEN APPROVAL OF NFC.</p> <p>THE EXPANSION AND CONTRACTION OF THE CONCRETE WILL CAUSE THE TILE ADHESIVE TO FAIL OR THE TILE TO BUCKLE OR SPLIT.</p> <p>NFC REQUIRES A COORDINATE EFFORT TO DESIGN EXPANSION JOINTS INTO THE CONCRETE SLAB TO AVOID FAILURE OF THE TILE OR OTHER STRUCTURAL ELEMENTS. CONTACT YOUR NFC PM TO COORDINATE DESIGN.</p> <p>WHEN APPROVED: USE SMOOTH DOVREL JOINT ON ONE END OR SIMILAR TO ALLOW FOR EXPANSION AND PROTECT FROM DIFFERENTIAL SETTLEMENT.</p>
<p>1 CONTRACTION JOINT</p> <p>CONCRETE SUBSTRATE SHOULD NOT BE SMOOTH AND REFLECTIVE. IT MUST HAVE A CONCRETE SURFACE PROFILE OF CSP 1-3 (SIMILAR TO A LIGHT / FINE BROOMED FINISH).</p> <p>DO: LIGHT BROOM FINISH AVOID: MEDIUM TO HEAVY BROOM FINISH</p>	<p>2 CONSTRUCTION/COLD JOINT</p>	<p>3 ISOLATION/EXPANSION JOINT</p> <p>PROPERTY OF NATIONAL FITNESS CAMPAIGN ©</p> <p>THIS DOCUMENT IS PROPERTY OF NFC (THE NATIONAL FITNESS CAMPAIGN). THIS DOCUMENT CONTAINS CONFIDENTIAL AND PROPRIETARY INFORMATION AND MAY ONLY BE USED BY PERMISSION FROM NFC AND FOR THE PURPOSES AUTHORIZED BY NFC. DISCLOSURE, DUPLICATION, MODIFICATION, OR OTHER USE OF THIS DOCUMENT IS NOT PERMITTED WITHOUT THE PRIOR WRITTEN PERMISSION OF NFC.</p>
<p>4 CONCRETE SURFACE FINISH</p>	<p>5 EXPANSION JOINT BEHIND WALL</p>	<p>SHEET #:</p>



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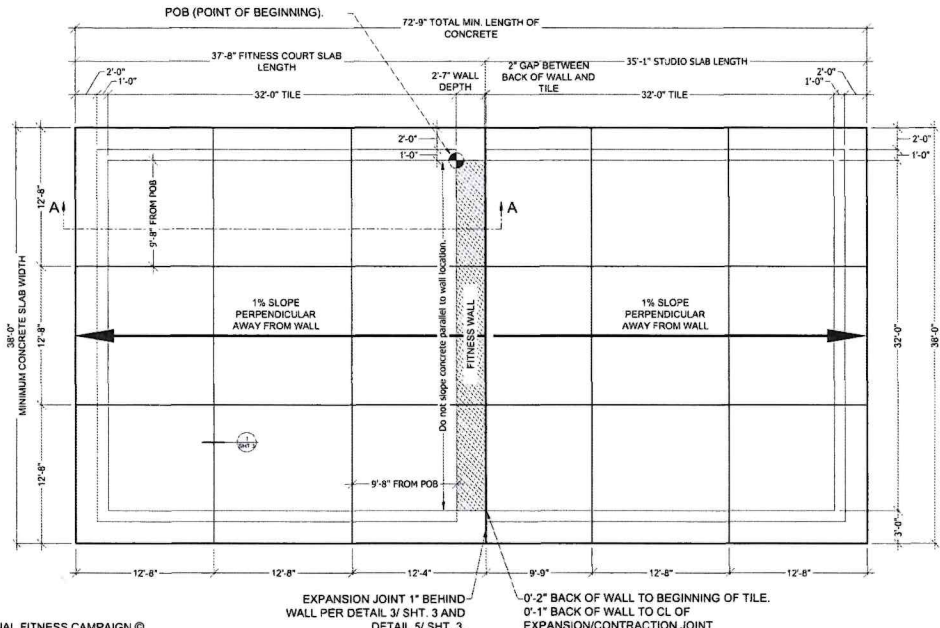
Date: 3/16/2012
 Drawn By: JH
 Checked By: DM
 Engineer of Record
 William Greenwell
 P.E.

SHEET #:

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CONCRETE SLAB PLAN

(FOR FLAT TOP SLAB / TILE FLOOR INSTALLATION)



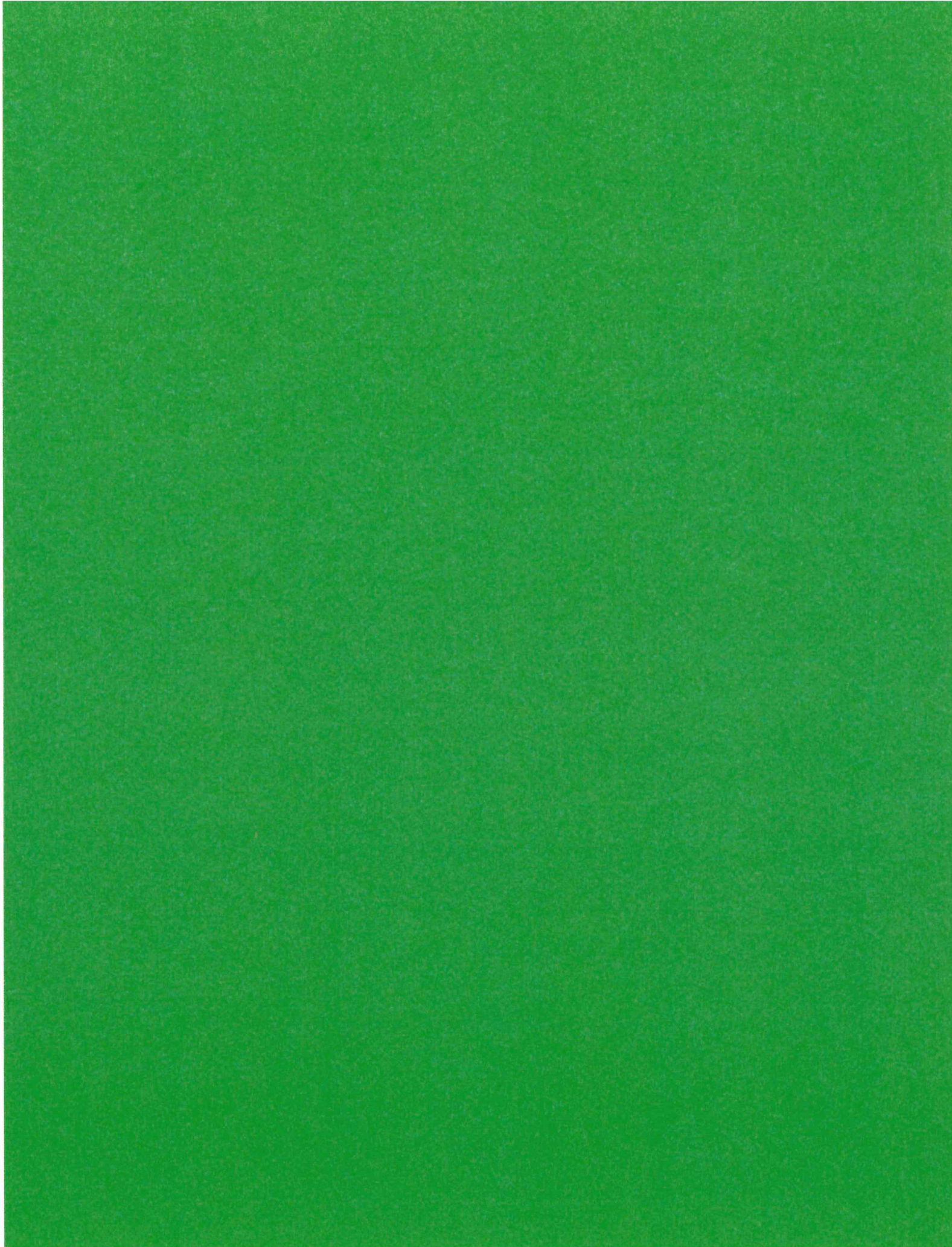
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DRAWING NAME
 FITNESS COURT
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 FOUNDATION
 PLAN-TILE
 FLOORING
 REV. C 4 0
 (3/12/20)
 Date 3/9/2023
 Drawn By: The
 Checked By: Dale
 Engineer of Record
 William Greenwell
 P.E.

SHEET #:
 1 of 2



4.4

**BYLAWS OF
JARRELL ECONOMIC DEVELOPMENT CORPORATION**

**ARTICLE I
PURPOSE AND POWERS**

Section 1. Purpose. The Jarrell Economic Development Corporation (hereinafter referred to as the “Corporation”) is incorporated for the purposes set forth in Article IV of its Articles of Incorporation, the same to be accomplished on behalf of the City of Jarrell, Texas, a Texas municipal corporation (hereinafter referred to as the “City”) as its duly constituted authority and instrumentality in accordance with the Development Corporation Act, chapters 501 to 504 of the Texas Local Government Code, as amended, (hereinafter referred to as the “Act”), and other applicable laws.

Section 2. Powers. In the fulfillment of its corporate purpose, the Corporation shall be governed by Chapter 504 of the Act, and shall have all of the powers set forth and conferred in its Articles of Incorporation, in the Act, and in other applicable law, subject to the limitations prescribed therein and herein and to the provisions thereof and hereof.

**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 (hereinafter referred to as 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 Board shall consist of five (5) directors, each of whom shall be appointed by the City Council (hereinafter referred to as the “City Council”) of the City.

(c) The respective initial terms of the Board are for staggered two (2) year terms. Thereafter, each successor member of the Board shall be appointed and serve for two (2) years or until his or her successor is appointed as hereinafter provided.

(d) Any director may be removed from office by the City Council at any time without cause.

Section 2. Regular and Special Meetings of Directors. The Directors shall hold their Regular meetings at such place or places within the City limits 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 Article V of these Bylaws. Special meetings of the Board shall be held whenever called by the president, by a majority of the

directors, by the Mayor of the City, or by a majority of the City Council. Any and all Special meetings shall likewise be held within the City limits or consistent with state law. The person or persons calling a Special meeting shall notify the secretary of the Corporation of the information required to be included in the notice of the meeting. In addition to the posting of a meeting notice in accordance with these Bylaws, a copy of each such meeting notice shall be delivered electronically or my mail to each director not less than seventy-two (72) hours before the time of the meeting.

Section 3. Notice and Open Meetings Act. The Board shall be considered a “governmental body” within the meaning of section 551.001 of the Texas Government Code, as amended, and notice of each meeting and deliberation shall be given to the public in accordance with the provisions of Chapter 551 of the Texas Government Code (the Texas Open Meetings Act), as amended.

Section 4. Quorum and Voting. A majority of the directors 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. A director may not vote by proxy. Directors must be present in order to vote at any meeting. Regular attendance at the Board meetings is required of all directors.

Section 5. Absences. The following number of absences shall constitute the basis for replacement of a director. Three (3) consecutive unexcused absences from meetings of the Board shall cause the position to be considered vacant. In addition, the position of any director who has four (4) unexcused absences in a twelve (12) month period shall be considered vacant.

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 president.

(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 not more than two (2) directors to constitute an official committee of the Board, with such other non-Board members of the committee as may be appointed by 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 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. They shall be reimbursed, however, for actual expenses incurred in the performance of their duties hereunder.

Section 9. Board's Relationship with the City. In accordance with state law, the Board shall be responsible for the proper discharge of its duties assigned herein. The Board shall determine its policies and directives within the limitations of the duties herein imposed by applicable laws, the Articles of Incorporation, these Bylaws, contracts entered into with the City, and budget and fiduciary responsibilities. The Board and the City shall enter into a Services Agreement that details the responsibilities of each.

ARTICLE III OFFICERS

Section 1. Titles and Term of Office.

(a) The officers of the Corporation shall be a president, a vice president, a secretary and a treasurer, and such other officers as the Board may from time to time elect or appoint. One person may hold more than one office, except that the president shall not hold the office of secretary. Terms of office shall be one (1) year with the right of an officer to be re-elected.

(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 directors.

Section 2. President. The president shall be a member of the Board, shall preside at all meetings of the Board, and may sign and execute contracts and other legal instruments in the name of the Corporation as approved by the Board.

Section 3. Vice President. The vice president shall be a member of 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 conclusive evidence of the absence or inability to act of the president at the time such action was taken.

Section 4. Treasurer. The treasurer shall be a member of the Board and shall have the responsibility to see to the handling, custody, and security of all funds and securities of the Corporation in accordance with these bylaws and statutes governing corporations formed under the Act. Upon the approval of the Board, the treasurer may endorse and sign, on behalf of the Corporation, for collection or issuance, checks, notes and other obligations in or drawn upon such bank or banks or depositories as shall be designated by the Board consistent with these Bylaws. The

treasurer shall see to the entry in the books of the Corporation full and accurate accounts of all monies received and paid out on account of the Corporation. The City Council may require that the treasurer, at the expense of the Corporation, give a bond for the faithful discharge of his duties in such form and amount as the City Council may require.

Section 5. Secretary. The secretary shall be a member of the Board, and 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 upon the approval of the Board in the name of the Corporation, and/or attest to 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, and shall in general perform all duties incident to the office of secretary subject to the control of the Board.

Section 6. Assistant Secretary and/or Treasurer. Any assistant secretaries and assistant treasurers may, at the option of the Board, be persons other than members of the Board, and they may be employees of the City.

Section 7. Compensation. Board members shall be reimbursed for actual expenses incurred in the performance of their duties hereunder, as are approved by the Board.

ARTICLE IV FUNCTIONAL CORPORATE DUTIES AND REQUIREMENTS

Section 1. Annual Corporate Budget. At least thirty (30) days prior to the commencement of each fiscal year of the Corporation (which is co-extensive with the City's fiscal year), the Board shall adopt a proposed budget of expected revenues and proposed expenditures of 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 for inclusion with the annual budget submitted to the City Council. The budget shall not be effective until the same has been approved by the City Council.

Section 2. 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 maintained for the Corporation by the City. In such event, the Corporation shall pay to the City reasonable compensation for such services.

(c) The City shall cause the Corporation's 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 City. Such audit shall be at the expense of the Corporation.

Section 3. Deposit and Investment of Corporate Funds.

(a) All proceeds from the issuance of bonds, notes, or other debt instruments (hereinafter referred to as "Obligations") issued by the Corporation shall be deposited and invested as provided in the resolution, order, indenture, 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 treasurer shall designate the accounts and depositories to be created and designated for such purposes, and the methods of withdrawal of funds there from for use by and for the purposes of the Corporation upon the signature of its treasurer and the Mayor. The accounts, reconciliation, and investment of such funds and accounts shall be performed by the City. The Corporation shall pay reasonable compensation for such services by the City.

Section 4. Expenditures of Corporate Money. The monies of the Corporation, including, but not limited to, sales and use taxes collected pursuant to Chapter 504 of the Act, monies derived from the repayment of loans, rents received from the lease or use of property, proceeds from the investment of funds of the Corporation, proceeds from the sale of property, and proceeds derived from the sale of Obligations, may be expended by the Corporation for any of the purposes authorized by the Act and approved by the voters at the election approving the sales tax, subject to the following limitations:

(a) 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 City Council prior to the sale and delivery of the Obligations to the purchasers thereof required by Section 5 of this Article;

(b) 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 the Projects, as defined herein. 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 City Council;

(c) All other proposed expenditures shall be made in accordance with and shall be set forth in the annual budget required by Section 1 of this Article.

Section 5. Issuance of Obligations. No Obligations, including refunding Obligations, shall be sold and delivered by the Corporation unless the City Council shall approve such Obligations by action taken no more than sixty (60) days prior to the date of sale of the Obligations.

Section 6. Potential Conflicts of Interest. The members of the Board are local public

officials within the meaning of Chapter 171 of the Texas Local Government Code, as amended. If a director has a substantial interest in a business entity or real property which is the subject of deliberation by the Board, the director shall file an affidavit with the secretary of the Corporation stating the nature and extent of the interest. Such affidavit shall be filed prior to any vote or decision upon the matter by the Board, and the interested director shall abstain from any vote, decision or discussion upon the matter.

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 tasks which will aid or assist the Board in the performance of its duties. Such designated tasks may include, but not be limited to, project conceptualization/feasibility studies and project analysis. These contracts (i) shall not be considered "projects" under this Article. Furthermore, 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 set forth. An administrative services agreement may be executed between the Board and the City Council for the services provided and compensated as provided for herein.

Section 8. Employees of the Corporation. The Board may hire an executive director or such employees as the Board determines. Any executive director or employee shall be an employee of the Corporation. The executive director shall report to the Board, and any other employees shall report directly to the Executive Director. The executive director and any employees may receive City benefits consistent with Section 501.067 of the Texas Local Government Code, and subject to City Council approval consistent with that statute.

ARTICLE V MISCELLANEOUS PROVISIONS

Section 1. Principal Office.

(a) The principal office and the registered office of the Corporation shall be the registered office of the Corporation specified in the Articles of Incorporation.

(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. Seal. The seal of the Corporation shall be as determined by the Board.

Section 4. 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 the resignation.

Section 5. Approval or Advice and Consent of the City Council. To the extent that these Bylaws refer to any approval by the City or refer to advice and consent by the City Council, such advice and consent shall be evidenced by a certified copy of a resolution, order, or motion duly adopted by the City Council.

Section 6. Services of City Staff and Officers. Subject to approval from the City Council, the Corporation shall have the right to utilize the services of the City Attorney, the City Secretary, and departments of the City, provided (a) that the Corporation shall pay reasonable compensation to the City for such services, and (b) the performance of such services does not materially interfere with the other duties of such personnel of the City.

Section 7. 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, 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, its employees, its attorneys, each member of the City Council and each employee of the City, to the fullest extent permitted by law, against any and all liability or expense, including attorneys' 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.

Section 8. Legal Construction. These Bylaws shall be construed in accordance with the laws of the State of Texas. All references in the Bylaws to statutes, regulations, or other sources of legal authority shall refer to the authorities cited, or their successors, as they may be amended from time to time. It is expressly provided that the provisions of the Act applicable to corporations governed under Chapter 504 of the Act are incorporated within these Bylaws by reference. In the event of any conflict between the applicable provisions of such Act and these Bylaws, then the applicable provisions of the Act shall control.

Section 9. Severability. If any provision or section of these Bylaws 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 10. Headings. The headings used in these Bylaws are used for convenience only and shall not be considered in construing the terms of the Bylaws.

Section 11. Parties Bound. The Bylaws shall be binding upon and inure to the benefit of the directors, officers and agents of the Corporation and their respective heirs, executors, administrators, legal representatives, successors and assigns, except as otherwise provided herein.

Section 12. Applicability of City Policies and Procedures. All duly approved City policies and procedures shall apply directly to the Corporation and the Board unless such policies or procedures are superseded by state law or are not related to the functions of the Board. The Board has the discretion, subject to the approval of the City Council, to adopt other policies and procedures in addition to or in place of those policies and procedures of the City.

**ARTICLE VI
EFFECTIVE DATE, AMENDMENTS**

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

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

Section 2. Amendments to Articles of Incorporation and Bylaws. The Articles of Incorporation of the Corporation and these Bylaws may be amended only in the manner provided in the Act.

CERTIFICATE OF SECRETARY

I certify that I am the duly elected and secretary of the Jarrell Economic Development Corporation, and the foregoing Bylaws constitute the Bylaws of the Corporation. These Bylaws were duly adopted at a meeting of the Board of Directors held on this the ___ day of _____, 2024, as approved by the City Council of the City of Jarrell, Texas, at a meeting held on the ___ day of _____, 2024.

Signed this ___ day of _____, 2024.

Secretary of the Corporation



4.5

ARTICLE 1.06 BOARDS AND COMMISSIONS

DIVISION 4.

JARRELL ECONOMIC DEVELOPMENT CORPORATION.

§ 1.06.071. Established.

The Jarrell Economic Development Corporation (the “JEDC”) is established in the City and is a Type A economic development corporation operating pursuant to Chapter 504 of the Texas Local Government Code, as amended.

§ 1.06.072. Board of Directors.

- (a) The board of directors shall consist of a five (5) member board appointed by the City Council.
- (b) A director is appointed by the City Council for a two-year term.
- (c) A director may be removed by the City Council at any time without cause.

§ 1.06.073. Executive Director and Employees; Benefits.

- (a) The executive director of JEDC shall be an employee of the JEDC and shall be appointed by the board of directors of JEDC.
- (b) Employees working for JEDC shall be employees of JEDC and shall be appointed by the executive director.
- (c) Consistent with Section 501.067 of the Texas Local Government Code, and with the consent of City Council, JEDC may obtain:
 - (1) health benefits coverage, liability coverage, workers’ compensation coverage, and property coverage under the City’s insurance policies, through self-funded coverage, or under coverage provided under an interlocal agreement with a political subdivision; or
 - (2) retirement benefits under a retirement program the City participates in or operates.

JEDC shall reimburse the City for the cost of all benefits provided through this Section.

§ 1.06.074. Duties.

The executive director shall administer economic development programs established by the board of directors of JEDC. The executive director shall perform such other duties as may be assigned to him or her by the board of directors of JEDC in furtherance of programs which contribute to the economic growth and development of the City.

§§ 1.06.075 to 1.06.080. - Reserved.”

