



TOWN OF ARGYLE ECONOMIC DEVELOPMENT CORPORATION
NOTICE OF THE SPECIAL MEETING AGENDA

April 1, 2020

6:00 p.m.

Notice is hereby given of the Special Meeting of the Economic Development Corporation beginning at 6:00 p.m., Wednesday, April 1, 2020, at the Argyle Town Hall, 308 Denton Street, Argyle, Texas. The items listed below are placed on the agenda for discussion and/or action.

The Economic Development Corporation will 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 and as amended on March 24, 2020.

In an effort to mitigate the spread of COVID-19 by avoiding meetings that bring people into a group setting and in accordance with Section 418.016 of the Texas Government Code, telephonic capabilities will be utilized. Members of the public are entitled to participate remotely via Toll-Free Dial-In Number: 1-888-475-4499; Meeting ID: 961 753 929 or through Zoom meeting link at <https://zoom.us/j/961753929>. For more detailed instructions on how to participate in this meeting, visit our Agenda Page.

SPECIAL MEETING AGENDA 6:00 PM

- A. CALL TO ORDER.**
- B. PLEDGE OF ALLEGIANCE – American Flag**
- C. PLEDGE OF ALLEGIANCE – Texas Flag - “Honor the Texas Flag; I pledge allegiance to thee Texas, one state, under God, one and indivisible”.**
- D. OPEN FORUM:**
This is an opportunity for the public to address the Economic Development Corporation on any matter, except public hearings that are included on the agenda. Comments related to public hearings will be heard when the specific hearing begins. Each speaker is limited

to five (5) minutes, unless the speaker requires the assistance of a translator, in which case the speaker is limited to ten (10) minutes, in accordance with applicable law. Each speaker shall approach the podium and state his/her name and address before speaking. Speakers shall address the governing body with civility that is conducive to appropriate public discussion. Speakers can address only the governing body as a whole and not individual city officials or employees. The public cannot speak from the gallery but only from the podium. Per the Texas Open Meetings Act, the Economic Development Corporation is prohibited from deliberating or taking action on any matter not listed on the agenda. The Economic Development Corporation may only: (1) make a statement of fact regarding the item; (2) make a recitation of existing policy regarding the item; or (3) propose the item be placed on a future agenda, in accordance with Council adopted procedures.

E. APPROVAL OF THE MINUTES OF THE FEBRUARY 12, 2020 REGULAR MEETING.

F. REVIEW OF FINANCIAL REPORTS.

1. None.

G. OLD BUSINESS.

1. None.

H. NEW BUSINESS.

1. Discussion on possible actions by the Argyle EDC in response to the COVID-19.
2. Discussion on postponement of Special Election for the creation of the Municipal Development District (MDD) from May 2, 2020 to November 3, 2020.

I. UPDATES.

J. FUTURE AGENDA ITEMS.

1. Next Regular EDC Meeting: Wednesday, April 8, 2020 or May 13, 2020

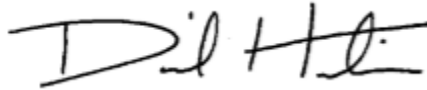
K. ADJOURNMENT

MISSION STATEMENT.

The mission of the Argyle Economic Development Corporation is to promote the recruitment of new businesses, the retention and expansion of existing businesses, and to maximize the tax base of Argyle while capitalizing upon our rural character and sense of community.

CERTIFICATION


I hereby certify that the above notice was posted in the bulletin board at Argyle Town Hall, 308 Denton Street, Argyle, Texas, by 5:00 pm on the 27th day of March, 2020.



David Hawkins, Director of Community Development

NOTE: If, during the course of the meeting, any discussion of any item on the agenda should be held in a closed meeting, the Board of Directors will conduct a closed meeting in accordance with the Texas Open Meetings Act, Texas Government Code, Chapter 551, Subchapters D and E.

A quorum of the members of the Argyle Town Council and or Planning and Zoning Commission may be in attendance at this meeting; however, no action will be taken by either board at this time.

 Persons with disabilities who plan to attend this public meeting and who may need auxiliary aid or services are requested to contact the Argyle Town Hall 48 hours in advance, at 940-464-7273, and reasonable accommodations will be made for assistance.

**MINUTES OF THE REGULAR MEETING
ARGYLE ECONOMIC DEVELOPMENT CORPORATION
Wednesday, February 12, 2020**

The regular meeting of the Argyle Economic Development Corporation was held on Wednesday, February 12, 2020, at 6:00 p.m. at Argyle Town Hall, located at 308 Denton Street, Argyle, Texas. This was an OPEN MEETING, open to the public, subject to the open meeting laws of the State of Texas and, as required by law, was hereby posted on February 7, 2020, at Argyle Town Hall, giving notice of time, date, place, and agenda thereof.

BOARD OF DIRECTORS PRESENT:

Ritchie Deffenbaugh, President
Brandon Moore, Vice-President
Sherri Myers, Secretary
Chris Rosprim, Treasurer
Darrell Halk
Zach Sheer

BOARD OF DIRECTORS ABSENT:

Craig Ray

ADVISORY BOARD MEMBERS PRESENT:

None

ADVISORY BOARD MEMBERS ABSENT:

Robin Massey

STAFF PRESENT:

David Hawkins, Director of Community Development
Haley Pittman, Marketing Specialist
Jeffrey Howell, Interim Town Manager

EX OFFICIO MEMBERS PRESENT:

None

REGULAR MEETING AGENDA

A. CALL TO ORDER

President Ritchie Deffenbaugh called the regular meeting to order at 6:04 p.m., noting a quorum was present.

B. PLEDGE OF ALLEGIANCE – American Flag

C. PLEDGE OF ALLEGIANCE – Texas Flag - “Honor the Texas Flag; I pledge allegiance to thee Texas, one state, under God, one and indivisible”.

D. OPEN FORUM:

Pursuant to Section 551.007 of the Texas Government Code, any member of the public has the opportunity to address the Economic Development Corporation concerning any matter of public business or any posted agenda item; however, the Act prohibits the Economic Development Corporation from deliberating any issues not on the public agenda and such non-agenda issues may be referred to Town staff for research and any future action; all persons addressing are limited to five (5) minutes and subject to council adopted rules and limitations permitted by law.

No public comment was received.

E. APPROVAL OF THE MINUTES OF THE JANUARY 8, 2020 REGULAR MEETING.

Mr. Scheer motioned to approve the minutes of January 8, 2020 as written. Mr. Rosprim seconded the motion. The motion carried unanimously 6-0 (Mr. Ray was absent).

F. REVIEW OF FINANCIAL REPORTS.

1. Review of the quarterly STARS (Sales Tax Analysis Reporting Service) and financial report.

Mr. Hawkins presented Economic Development Fund financial reports to the Board. No formal action was taken on this item.

G. OLD BUSINESS.

1. None

H. NEW BUSINESS.

1. Discussion on upcoming Special Election on May 2, 2020 for the creation of the Municipal Development District (MDD) in the Town of Argyle and/or the Extraterritorial Jurisdiction (ETJ).

Mr. Howell addressed the EDC and presented information for both New Business Items H.1 and H.2 concurrently. Discussion was also held on both agenda items concurrently.

Mr. Howell presented information regarding the differences between Type A Economic Development Corporations, Type B Economic Development Corporations, and Municipal Development Districts.

Mr. Deffenbaugh pointed out a discrepancy in the percentage listed under Option 2, Proposition A of the draft MDD ordinance. Mr. Howell agreed that the number listed was incorrect and stated that he would investigate the discrepancy and correct it if needed.

The Board discussed the possible implications of changing from a Type B EDC to an MDD, including the change in autonomy (as the MDD would be a political subdivision of the state and the city, rather than a corporation), the governance of the entity, and the transparency of meetings.

No formal action was taken on New Business Items H.1 and H.2.

2. Receive training presentation on Economic Development Corporation (EDC) roles and responsibilities.

Mr. Howell addressed the EDC and presented information for both New Business Items H.1 and H.2 concurrently. See notes under New Business Item H.1.

I. EXECUTIVE SESSION.

PURSUANT TO TEXAS GOVERNMENT CODE, ANNOTATED, CHAPTER 551, SUBCHAPTER D, the Economic Development Corporation will recess into Executive Session (closed meeting) to discuss the following:

§551.072: A governmental body may conduct a closed meeting to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

The EDC adjourned into Executive Session at 6:53 p.m.

J. RECONVENE INTO OPEN SESSION:

In accordance with Texas Government Code, Section 551, the Town Council will reconvene into Regular Session and consider action, if any, on matters discussed in Executive Session.

The EDC reconvened into Open Session at 7:25 p.m.

K. UPDATES.

1. Project Updates

a. 2018 EDC Action Plan Objectives Update

- Website Update

Ms. Pittman presented updates to the EDC webpages, including updated demographics information on a 15-minute drive time radius around Argyle. Mr. Deffenbaugh suggested that this information is added to the main Economic Development page. Mr. Deffenbaugh requested that staff make changes to the EDC webpage for ease of navigation.

- 2019 Certificate of Occupancy

Ms. Pittman presented a list of Certificates of Occupancy (COs) from 2019, noting that this list was also added to the EDC website.

- Business Directory

Ms. Pittman reported that the online Business Directory has been updated with businesses from the 2019 COs that were previously missing from the directory.

- Argyle Business Association (ABA)

Ms. Pittman reported that staff met with representatives from Magnolia Realty and Argyle Living regarding the upcoming launch of the Argyle Business Association, adding that a planning meeting with business owners from Turner Massey Realty and BPS Jet was scheduled to take place in mid-February.

- CoServ Grant Request

Ms. Pittman shared that CoServ approved staff's proposal for a \$15,000 economic development grant.

- Trade Shows

Mr. Hawkins reported that the ICSC event attended in January was successful, but did not recommend attending in the future due to the large size of the show and the scale of the retailers that attend. Mr. Hawkins expressed that staff plan to represent the EDC at the smaller Commercial Trade Expo in Fort Worth on April 2, 2020.

2. Current Development/Construction Updates

a. DRC Active Project List – Updated 2-8-20

- Integrity Performance Sports Incentives Request

Mr. Hawkins reported that the Town Council did not take any action on the Incentives Request for Integrity Performance Sports at their January 28, 2020 meeting.

L. FUTURE AGENDA ITEMS.

1. Next Regular EDC Meeting: Wednesday, March 11, 2020

Due to conflicts with Argyle ISD spring break schedule, the EDC decided to cancel the March 11, 2020 meeting. The next Regular EDC Meeting would be scheduled for Wednesday, April 8, 2020.

M. ADJOURNMENT.

Mr. Rosprim made a motion to adjourn the meeting. Mr. Halk seconded the motion. The meeting was adjourned at 7:42 p.m.

APPROVED, this the 8th day of April, 2020.

ATTEST:

APPROVED:

David Hawkins, Dir. of Community Development

Ritchie Deffenbaugh, President



EDC BOARD DATA SHEET



Agenda Item:

Discussion on postponement of Special Election for the creation of the Municipal Development District (MDD) from May 2, 2020 to November 3, 2020.

Meeting Date:

April 1, 2020

Prepared by:

David Hawkins, Director of Community Development
Jeff Howell, Interim Town Manager

Background:

On January 28, 2020, the Town Council held a discussion on this item and voted to call a Special Election to be held on May 2, 2020, selecting Option No. 3 which would abolish the EDC and create a MDD in the Town limits and ETJ . Due to the recent pandemic with the COVID-19 virus, the Governor of the State of Texas signed a proclamation on March 18, 2020 suspending certain provisions of the Texas Election Code which permitted cities and towns to postpone their May elections to November 2020 elections.

On March 24, 2020, the Town Council voted to approve an ordinance (see attached Ordinance No. 2020-12) postponing the Special Election for the creation of the Municipal Development District (MDD) from May 2, 2020 to November 3, 2020 in response to this COVID-19 situation.

Proposed Action:

No action is required by the EDC for this agenda item.

Attachments:

Ordinance No. 2020-12 – Postponement of Special Election for MDD from May 2020 to November 2020

ORDINANCE NO. 2020-12

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF ARGYLE, TEXAS, POSTPONING THE SPECIAL ELECTION TO BE HELD ON THE 2ND DAY OF MAY, 2020, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE TOWN THE PROPOSITION DETERMINING THE ABOLITION OF THE SALES AND USE TAX COLLECTED FOR THE ARGYLE ECONOMIC DEVELOPMENT CORPORATION (EDC) AND THE CREATION OF A MUNICIPAL DEVELOPMENT DISTRICT (MDD) IN THE TOWN CORPORATE LIMITS AND EXTRATERRITORIAL JURISDICTION (ETJ) TO THE NOVEMBER 3, 2020 UNIFORM ELECTION DATE; AUTHORIZING EXECUTION OF JOINT ELECTION CONTRACTS FOR THE NOVEMBER 3, 2020 ELECTION; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in accordance with the general laws and Constitution of the State of Texas pursuant to Town of Argyle Ordinance Number 2020-04, a Special Election for the purpose of submitting to the qualified voters of the Town, either for or against, the proposition of whether to abolish the Argyle Economic Development Corporation, and create a MDD at the rate of one-fourth of one percent (0.25%) within the corporate limits and extraterritorial jurisdiction of the Town as provided by Chapter 323 of the Texas Tax Code and Chapter 377 of the Texas Local Government Code was ordered to be held on May 2, 2020; and;

WHEREAS, pursuant to Section 418.016 of the Texas Government Code, on March 18, 2020, the Governor of the State of Texas signed a proclamation suspending certain provisions of the Texas Election Code and the Texas Water Code to allow all local political subdivisions that are utilizing the May 2, 2020 uniform election date to postpone their elections to the November 3, 2020, uniform election date; and

WHEREAS, pursuant to the Governor's proclamation authorizing the Town of Argyle to postpone the May 2, 2020 election date, the Town Council does by this Ordinance exercise its authority to postpone the Special Election ordered for May 2, 2020 to November 3, 2020;

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

SECTION 1: That the Special election previously ordered for May 2, 2020, for the Town of Argyle, Texas, for the purpose of submitting to the qualified voters of the Town, either for or against, the proposition of whether to abolish the Argyle Economic Development Corporation, and create a MDD at the rate of one-fourth of one percent (0.25%) within the corporate limits and extraterritorial jurisdiction of the Town as provided by Chapter 323 of the Texas Tax Code and Chapter 377 of the Texas Local Government Code is hereby postponed to November 3, 2020.

SECTION 2: That all annual applications ballot by mail (ABBMs) for voters that are voting by mail due to being over the age of 65 or due to disability will still be valid for the November 3, 2020, election; and that ABBMs for voters who submitted ABBMs based on expected absence from the county shall not be valid for the postponed November 3, 2020 election.

SECTION 3: That the voter registration deadline for the November 3, 2020, election is October 5, 2020, the deadline to submit an ABBM is October 23, 2020, and the dates for early voting are October 19, 2020, through October 30, 2020.

SECTION 4: That the Town Administrator is authorized to negotiate and execute an election contract with Denton County for the purposes of conducting the postponed election on November 3, 2020.

SECTION 5: That the Town Administrator and Town Secretary are authorized to modify the election order as necessary to in order to change the date of the election; change location of the main early voting location; change early voting dates and hours, including weekend early voting; change the identity of the early voting clerk and their contact information, if necessary; or changes to branch early voting locations, and bring forth said changes to the Town Council prior to August 17, 2020 for consideration and adoption.

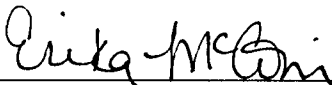
SECTION 6: That should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said Ordinance, which shall remain in full force and effect.

SECTION 7: This Ordinance shall take effect immediately from and after the date of its passage.

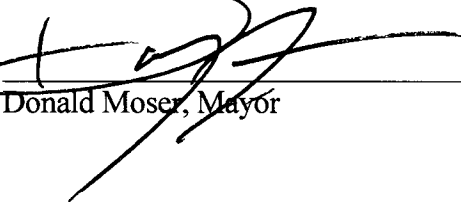
DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF ARGYLE, DENTON COUNTY, TEXAS, ON THIS THE 24RD DAY OF MARCH 2020.

ATTEST:

APPROVED:


Erika McComis, Town Secretary




Donald Moser, Mayor

APPROVED AS TO FORM:

Andy Messer, Town Attorney

ORDINANCE NO. 2020-11

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF ARGYLE, TEXAS, POSTPONING THE GENERAL ELECTION TO BE HELD ON THE 2ND DAY OF MAY, 2020, FOR THE PURPOSE OF ELECTING COUNCILMEMBERS FOR PLACE 1, PLACE 3 AND PLACE 5 TO THE NOVEMBER 3, 2020 UNIFORM ELECTION DATE; AUTHORIZING EXECUTION OF JOINT ELECTION CONTRACTS FOR THE NOVEMBER 3, 2020 ELECTION; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in accordance with the general laws and Constitution of the State of Texas pursuant to Town of Argyle Ordinance Number 2020-02, a General Election for the purpose of electing Town Council Members for Place 1, Place 3 and Place 5 was ordered to be held on May 2, 2020; and

WHEREAS, pursuant to Section 418.016 of the Texas Government Code, on March 18, 2020, the Governor of the State of Texas signed a proclamation suspending certain provisions of the Texas Election Code and the Texas Water Code to allow all local political subdivisions that are utilizing the May 2, 2020 uniform election date to postpone their elections to the November 3, 2020, uniform election date; and

WHEREAS, pursuant to the Governor's proclamation authorizing the Town of Argyle to postpone the May 2, 2020 election date, the Town Council does by this Ordinance exercise its authority to postpone the General Election ordered for May 2, 2020, for the purpose of electing three (3) Town Council Members to November 3, 2020.

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

SECTION 1: That the General election previously ordered for May 2, 2020, for the Town of Argyle, Texas, for the purpose of electing three (3) Town Council Members is hereby postponed to November 3, 2020.

SECTION 2: That the candidate filings for the General election for May 2, 2020, for the Town of Argyle, Texas, for the purpose of electing three (3) Town Council Members shall remain valid for the election to be held on November 3, 2020, and that the filing period for candidates will not be re-opened for the election to be held on November 3, 2020.

SECTION 3: That all annual applications ballot by mail (ABBM) for voters that are voting by mail due to being over the age of 65 or due to disability will still be valid for the November 3, 2020, election; and that ABBMs for voters who submitted ABBMs based on expected absence from the county shall not be valid for the postponed November 3, 2020 election.

SECTION 4: That the voter registration deadline for the November 3, 2020, election is October 5, 2020, the deadline to submit an ABBM is October 23, 2020, and the dates for early voting are October 19, 2020, through October 30, 2020.

SECTION 5: That the Town Administrator is authorized to negotiate and execute an election contract with Denton County for the purposes of conducting the postponed election on November 3, 2020.

SECTION 6: That the Town Administrator and Town Secretary are authorized to modify the election order as necessary to in order to change the date of the election; change location of the main early voting location; change early voting dates and hours, including weekend early voting; change the identity of the early voting clerk and their contact information, if necessary; or changes to branch early voting locations, and bring forth said changes to the Town Council prior to August 17, 2020 for consideration and adoption.

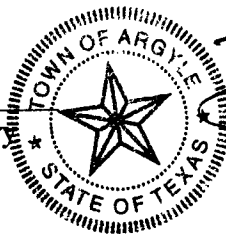
SECTION 7: That should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be void or unconstitutional, the same shall not affect the validity of the remaining portions of said Ordinance, which shall remain in full force and effect.

SECTION 8: This Ordinance shall take effect immediately from and after the date of its passage.

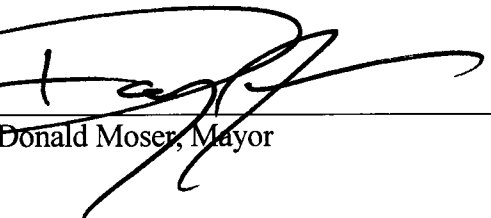
DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF ARGYLE, DENTON COUNTY, TEXAS, ON THIS THE 24RD DAY OF MARCH 2020.

ATTEST:


Erika McComis, Town Secretary



APPROVED:


Donald Moser, Mayor

APPROVED AS TO FORM:

Andy Messer, Town Attorney