

**CITY OF JOSHUA  
CITY COUNCIL  
MEETING AGENDA  
THURSDAY, NOVEMBER 12, 2009  
SPECIAL SESSION – 6:30 P.M.**

The Joshua City Council will hold a Special Session at 6:30 p.m. at the City Hall Council Chambers, 101 S. Main, Joshua, Texas on November 12, 2009. This is an Open Meeting, open to the public, subject to the Open Meeting Laws of the State of Texas.

**I. Special Session:            6:30 p.m.**

Call to order and announce a quorum is present.

**A.    INVOCATION:**

**B.    PLEDGE OF ALLEGIANCE:**

**American Flag** – “I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation, under God, indivisible, with liberty and justice for all.”

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

**C.    GENERAL ACTION ITEMS:**

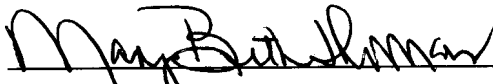
- 1.    Discuss, Consider And Act Regarding A Resolution Canvassing The Returns And Declaring The Results Of A Bond Election; And Other Matters In Connection Therewith. (Hartman)**

**II.    ADJOURNMENT.**

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary’s office at 817-558-7447 or FAX 817-641-7526 or e-mail [citysecretary@cityofsecretarytx.us](mailto:citysecretary@cityofsecretarytx.us) for further information.

**CERTIFICATE:**

I hereby certify that the above agenda was posted on this the 9<sup>th</sup> day of Nov., 2009, by 5:00 pm on the official bulletin board at the Joshua City Hall, 101 S. Main, Joshua, Texas.

  
\_\_\_\_\_  
Mary Beth Thomas, City Secretary  
City of Joshua, Texas

This notice was removed on the \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
Mary Beth Thomas, City Secretary  
City of Joshua, Texas

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION CANVASSING THE RETURNS AND DECLARING THE RESULTS OF A BOND ELECTION; AND OTHER MATTERS IN CONNECTION THEREWITH.**

WHEREAS, on August 13, 2009, the City Council (the *City Council*) of the City of Joshua, Texas (the *City*) ordered an election to be held on November 3, 2009, for the purpose of determining whether the resident, qualified electors of the City would authorize the issuance of general obligation bonds by the City; and

WHEREAS, the City Council has reviewed and investigated all matters pertaining to this election, including the ordering, notices, election officers, holding, and returns thereof; and

WHEREAS, the City Council hereby canvasses the returns of this election, at which there were submitted to all resident, qualified electors of the City for their action thereupon, the following propositions:

**PROPOSITION NO. 1**

“Shall the City Council of the City of Joshua, Texas be authorized to issue and sell general obligation bonds of the City in the principal amount of \$2,700,000 for the purpose of making permanent public improvements, or for other public purposes, to wit: constructing, renovating, and designing a new fire station, such bonds to mature serially or otherwise in accordance with law; and any issue or series of said bonds to bear interest at such rate or rates (fixed, floating, variable or otherwise) as may be determined within the discretion of the City Council, provided that such rate of interest shall not exceed the maximum rate per annum authorized by law at the time of the issuance of any issue or series of said bonds; and shall the City Council of the City be authorized to levy and pledge, and cause to be assessed and collected, annual ad valorem taxes, within the limitations prescribed by law, on all taxable property in said City sufficient to pay the annual interest and provide a sinking fund to pay the bonds at maturity and the cost of any credit agreements executed in connection with the bonds?”

**PROPOSITION NO. 2**

“Shall the City Council of the City of Joshua, Texas be authorized to issue and sell general obligation bonds of the City in the principal amount of \$850,000 for the purpose of making permanent public improvements, or for other public purposes, to wit: designing and constructing street, curb, gutter and sidewalk improvements (including designing and

constructing improvements to City streets known as Edgehill Road, Pear Court, Hilltop Place, Ridgeway, Rosewood, Apple Street and Plum Street), completing necessary utility relocation in connection with the foregoing, and the purchase of land, easements, rights-of-way, and other real property interests necessary therefor or incidental thereto; such bonds to mature serially or otherwise in accordance with law; and any issue or series of said bonds to bear interest at such rate or rates (fixed, floating, variable or otherwise) as may be determined within the discretion of the City Council, provided that such rate of interest shall not exceed the maximum rate per annum authorized by law at the time of the issuance of any issue or series of said bonds; and shall the City Council of the City be authorized to levy and pledge, and cause to be assessed and collected, annual ad valorem taxes, within the limitations prescribed by law, on all taxable property in said City sufficient to pay the annual interest and provide a sinking fund to pay the bonds at maturity and the cost of any credit agreements executed in connection with the bonds?"

### PROPOSITION NO. 3

"Shall the City Council of the City of Joshua, Texas, be authorized to issue and sell general obligation bonds of the City in the principal amount of \$2,600,000 for the purpose of making permanent public improvements, or for other public purposes, to wit: designing and constructing drainage improvements (including drainage improvements in the areas of Coffield, Joshua Meadows, and Mountain Valley/Village Creek), completing necessary utility relocation in connection with the foregoing, and the purchase of land, easements, rights-of-way, and other real property interests necessary therefor or incidental thereto; such bonds to mature serially or otherwise in accordance with law; and any issue or series of said bonds to bear interest at such rate or rates (fixed, floating, variable or otherwise) as may be determined within the discretion of the City Council, provided that such rate of interest shall not exceed the maximum rate per annum authorized by law at the time of the issuance of any issue or series of said bonds; and shall the City Council of the City be authorized to levy and pledge, and cause to be assessed and collected, annual ad valorem taxes, within the limitations prescribed by law, on all taxable property in said City sufficient to pay the annual interest and provide a sinking fund to pay the bonds at maturity and the cost of any credit agreements executed in connection with the bonds?"

and

WHEREAS, the City Council has diligently inquired into the poll lists and the official election returns which were duly and lawfully made to this City Council by the judges and clerks holding and conducting the election; the poll lists and the official election returns showing separately the votes cast in the election; and

WHEREAS, from these returns, this City Council hereby finds that the following votes were cast in the election by voters who were resident, qualified electors of the City;

PROPOSITION NO. 1

“THE ISSUANCE OF \$2,700,000 OF GENERAL OBLIGATION BONDS FOR CONSTRUCTING, RENOVATING, AND DESIGNING A NEW FIRE STATION”

	For	Against
Election Day Votes	120	91
Provisional Votes	0	0
Early Votes	34	18
TOTAL	154	109

PROPOSITION NO. 2

“THE ISSUANCE OF \$850,000 OF GENERAL OBLIGATION BONDS FOR DESIGNING AND CONSTRUCTING STREET, CURB, GUTTER AND SIDEWALK IMPROVEMENTS (INCLUDING DESIGNING AND CONSTRUCTING IMPROVEMENTS TO CITY STREETS KNOWN AS EDGEHILL ROAD, PEAR COURT, HILLTOP PLACE, RIDGEWAY, ROSEWOOD, APPLE STREET, AND PLUM STREET), COMPLETING NECESSARY UTILITY RELOCATION IN CONNECTION WITH THE FOREGOING, AND THE PURCHASE OF LAND, EASEMENTS, RIGHTS-OF-WAY, AND OTHER REAL PROPERTY INTERESTS NECESSARY THEREFOR OR INCIDENTAL THERETO.”

	For	Against
Election Day Votes	127	86
Provisional Votes	0	0
Early Votes	34	19
TOTAL	161	105

PROPOSITION NO. 3

“THE ISSUANCE OF \$2,600,000 OF GENERAL OBLIGATION BONDS FOR DESIGNING AND CONSTRUCTING DRAINAGE IMPROVEMENTS (INCLUDING DRAINAGE IMPROVEMENTS IN THE AREAS OF COFFIELD, JOSHUA MEADOWS, AND MOUNTAIN VALLEY/VILLAGE CREEK), COMPLETING NECESSARY UTILITY RELOCATION IN CONNECTION WITH THE FOREGOING, AND THE PURCHASE OF LAND, EASEMENTS, RIGHTS-OF-WAY, AND OTHER REAL PROPERTY INTERESTS NECESSARY THEREFOR OR INCIDENTAL THERETO.”

	For	Against
Election Day Votes	123	40
Provisional Votes	<del>2</del>	<del>2</del>
Early Votes	37	17
TOTAL	160	107

NOW, THEREFORE, IT IS ACCORDINGLY FOUND, DECLARED, AND RESOLVED BY THE CITY COUNCIL OF THE CITY OF JOSHUA, TEXAS, THAT:

SECTION 1: The City Council of the City officially finds, determines, and declares that the election was duly and properly ordered, that proper legal notice of such election was duly given in the English language and the Spanish language, that proper election officers were duly appointed prior to the election, that the election was duly and legally held, that all resident, qualified electors of the City were permitted to vote at the election, that due returns of the results of the election had been made and delivered, and that the City Council of the City has duly canvassed such returns, all in accordance with the laws of the State of Texas and of the United States of America and the ordinance calling the election.

SECTION 2: A MAJORITY of the resident, qualified voters of the City of Joshua, Texas, voting in such election, having voted FOR the authorization and issuance of \$2,700,000 of general obligation bonds and the levy and pledge of the tax in payment thereof as provided in Proposition No. 1, The City Council hereby finds and determines that Proposition No. 1 carried at the election, that the election was duly called, that proper notice was given, and that the election was held in all aspects in conformity with the law, and that the City Council is hereby accordingly authorized to issue the general obligation bonds and to levy the tax in accordance with the authority granted in Proposition No. 1 and with law.

SECTION 3: A MAJORITY of the resident, qualified voters of the City of Joshua, Texas, voting in such election, having voted FOR the authorization and issuance of \$850,000 of general obligation bonds and the levy and pledge of the tax in payment thereof as provided in Proposition No. 2, the City Council hereby finds and determines that Proposition No. 2 carried at the election, that the election was duly called, that proper notice was given, and that the election was held in all aspects in conformity with the law, and that the City Council is hereby accordingly authorized to issue the general obligation bonds and to levy the tax in accordance with the authority granted in Proposition No. 2 and with law.

SECTION 4: A MAJORITY of the resident, qualified voters of the City of Joshua, Texas, voting in such election, having voted FOR the authorization and issuance of \$2,600,000 of general obligation bonds and the levy and pledge of the tax in payment thereof as provided in the Proposition, the City Council hereby finds and determines that the Proposition carried at the

election, that the election was duly called, that proper notice was given, and that the election was held in all aspects in conformity with the law, and that the City Council is hereby accordingly authorized to issue the general obligation bonds and to levy the tax in accordance with the authority granted in the Proposition and with law.

SECTION 5: The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the City Council.

SECTION 6: All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

SECTION 7: This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 8: If any provisions of this Resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this Resolution would have been enacted without such invalid provision.

SECTION 9: It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, as amended, Texas Government Code.

SECTION 10: This resolution shall be in force and effect from and after its final passage and it is so resolved.

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PASSED, ADOPTED AND APPROVED this the \_\_\_\_\_ day of November,  
2009.

CITY OF JOSHUA, TEXAS

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Secretary

(CITY SEAL)