



\* \* \* \* PUBLIC NOTICE \* \* \* \*

**NOTICE OF A FIRE CONTROL, PREVENTION & EMS DISTRICT  
BOARD OF DIRECTORS  
OF THE CITY OF CORINTH  
Thursday, November 12, 2020, 5:45 P.M.  
CITY HALL - 3300 CORINTH PARKWAY**

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**CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE:**

**BUSINESS AGENDA**

1. Consider and act on an Order of the Temporary Board canvassing and declaring the results of the November 3, 2020, Special Election.

**CLOSED SESSION**

The City Council will convene in such executive or (closed session) to consider any matters regarding any of the above agenda items as well as the following matters pursuant to Chapter 551 of the Texas Government Code.

**Section 551.071.** Private consultation with its attorney to seek advice about pending or contemplated litigation; and/or settlement offer; (2) and/or a matter in which the duty of the attorney to the government body under the Texas Disciplinary Rules of Professional Conduct of the State of Texas clearly conflicts with chapter 551.

**Section 551.072.** 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.

**Section 551.074.** To deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee.

**Section 551.087.** To deliberate or discuss regarding commercial or financial information that the governmental body has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the territory of the governmental body and with which the governmental body is conducting economic development negotiations; or to deliberate the offer of a financial or other incentive to a business prospect.

After discussion of any matters in closed session, any final action or vote taken will be in public by the City Council. City Council shall have the right at any time to seek legal advice in Closed Session from its Attorney on any agenda item, whether posted for Closed Session or not.

RECONVENE IN OPEN SESSION TO TAKE ACTION, IF NECESSARY, ON CLOSED SESSION ITEMS.

**ADJOURN**

Posted this 9th day of November 2020, at 5:45 pm. on the bulletin board at Corinth City Hall.

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Lana Wylie, Interim City Secretary  
City of Corinth, Texas

**BUSINESS ITEM 1.**

**Fire Control, Prevention & EMS District**

**Meeting Date:** 11/12/2020  
**Title:** Canvass Fire District Sales Tax & Permanent Board of Directors Election  
**Submitted For:** Bob Hart, City Manager  
**Submitted By:** Lana Wylie, Administrative Assistant  
**City Manager Review: Approval:** Bob Hart, City Manager  
**Strategic Goals:** Citizen Engagement & Proactive Government

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**AGENDA ITEM**

Consider and act on an Order of the Temporary Board canvassing and declaring the results of the November 3, 2020, Special Election.

**AGENDA ITEM SUMMARY/BACKGROUND**

The Special Election which submitted to the voters a ballot proposition serving as a confirmation election for the creation of a proposed City of Corinth Fire Control, Prevention, And Emergency Medical Services District, and providing for the adoption of a sales and use tax for the District at a rate of one-fourth of one percent dedicated to fire control, prevention, and emergency medical services programs, and a proposition to authorize the City Council to serve as the Permanent Board of Directors of the newly created District upon adoption of Council resolution making such designation; providing confirmation of voting tabulation; and providing an effective date.

**RECOMMENDATION**

Staff recommends approval of the Order.

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**Attachments**

Order - Fire District

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ORDER NO. \_\_\_\_\_

**AN ORDER OF THE TEMPORARY BOARD OF DIRECTORS OF THE PROPOSED CITY OF CORINTH FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT, (“TEMPORARY BOARD”), CANVASSING AND DECLARING THE RESULTS OF THE NOVEMBER 3, 2020 SPECIAL ELECTION HELD FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS THE PROPOSED CITY OF CORINTH FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT, COMPRISED OF THE CITY OF CORINTH, TEXAS, A BALLOT PROPOSITION THAT SERVES AS A CONFIRMATION ELECTION ORDER FOR THE CITY OF CORINTH FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT, (“DISTRICT”), AND ADOPTS A SALES AND USE TAX FOR THE DISTRICT AT A RATE OF ONE-FOURTH OF ONE PERCENT DEDICATED TO FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES PROGRAMS, PURSUANT TO CHAPTER 344 OF THE TEXAS LOCAL GOVERNMENT CODE, AS AMENDED; AND A BALLOT PROPOSITION TO DESIGNATE THAT THE CITY COUNCIL OF THE CITY OF CORINTH MAY, BY RESOLUTION, BE APPOINTED TO SERVE AS THE PERMANENT BOARD OF DIRECTORS OF THE DISTRICT; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING CONFIRMATION OF VOTE TABULATION AND CANVASS; PROVIDING NOTICE, OPEN MEETINGS, AND SEVERABILITY CLAUSES; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council (the “City Council”) of the City of Corinth, Texas (the “City”), and the Temporary Board of Directors of the proposed City of Corinth Fire Control, Prevention, and Emergency Medical Services District, on August 6, 2020, ordered that a Special Election be held within the City on November 3, 2020, for the purpose of submitting to the qualified voters of the proposed District, comprising the City of Corinth, Texas, a ballot proposition that serves as a confirmation election order for the District, and adopts a sales and use tax for the District at a rate of one-fourth of one percent dedicated to fire control, prevention, and emergency medical services programs; and a ballot proposition to designate that the City Council of the City of Corinth may, by resolution, be appointed to serve as the permanent Board of Directors of the District, (the “Special Election”); and

**WHEREAS**, the Temporary Board provided a summary of the proposed Budget Plan and proposed Fire Control, Prevention, and Emergency Medical Services Plan in accordance with Section 344.054(b)(5) of the Texas Local Government Code, as amended, as set forth in Ordinance No. 20-02-13-05, and met all procedural requirements of Chapter 344 of the Texas Local Government Code; and

**WHEREAS**, notice of the Special Election was duly published in the Denton Record Chronicle on September 30, 2020, and October 7, 2020, and posted on the bulletin board

**WHEREAS**, on November 3, 2020, the Special Election was held in accordance with the provisions of the Texas Local Government Code and the Election Code for the purpose of submitting to the qualified voters of the proposed District, comprising the City of Corinth, Texas, a ballot proposition that serves as a confirmation election order for

District, and adopts a sales and use tax for the District at a rate of one-fourth of one percent dedicated to fire control, prevention, and emergency medical services programs; and a ballot proposition to designate that the City Council of the City of Corinth may, by resolution, be appointed to serve as the permanent Board of Directors of the District (the "Propositions"); and

**WHEREAS**, section 344.059 of the Local Government Code requires that the Temporary Board of Directors of the District canvass and declare the results of the Special Election; and

**WHEREAS**, the official returns of the election on the Propositions, including returns of early voting ballots cast, of the presiding judges of the Special Election have been presented and delivered; and the Temporary Board of Directors of the District declare the results of such returns in accordance with the law.

**NOW, THEREFORE, BE IT ORDERED BY THE TEMPORARY BOARD OF DIRECTORS OF THE PROPOSED CITY OF CORINTH FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT:**

**SECTION 1.  
Incorporation of Premises**

The findings set forth above are incorporated into the body of this Order as if fully set forth herein.

**SECTION 2.  
Confirmation of Vote Tabulation**

The Temporary Board officially finds and determines that at the Special Election held on November 3, 2020, the following Propositions were submitted to the voters and the following votes were cast, and that based upon the votes cast, the following Propositions were approved:

**PROPOSITION A**

The creation of the City of Corinth Fire Control, Prevention, and Emergency Medical Services District dedicated to fire safety and emergency medical services programs and the adoption of a proposed local sales and use tax at a rate of one-fourth of one percent.

**FOR ( X )**

**AGAINST ( )**

Votes were cast as follows:

The number of votes cast "FOR" Proposition A	<u>7,335</u>
The number of votes cast "AGAINST" Proposition A	<u>3,522</u>
The number of votes by which Proposition A was approved:	<u>3,813</u>

Total Votes Cast for Proposition A:

10,857

**PROPOSITION B**

Should the eligible voters authorize the creation of the City of Corinth Fire Control, Prevention, and Emergency Medical Services District dedicated to fire safety and emergency medical services programs, may the Corinth City Council approve a resolution to appoint the Corinth City Council to serve as the Board of Directors of the City of Corinth Fire Control, Prevention, and Emergency Medical Services District.

**FOR** ( )

**AGAINST** ( )

Votes were cast as follows:

The number of votes cast "FOR" Proposition B	<u>7,618</u>
The number of votes cast "AGAINST" Proposition B	<u>3,072</u>
The number of votes by which Proposition B was approved:	<u>4,546</u>
Total Votes Cast for Proposition B:	<u>10,690</u>

**SECTION 3.  
Canvass**

The Temporary Board finds that the election was duly called, that notice of election was given in accordance with state law, that such election was held in accordance with state law, the results of the election as set forth above are correct, and the canvass of the votes are hereby ratified and approved. Therefore, the Temporary Board finds and orders that the City of Corinth Fire Control, Prevention, and Emergency Medical Services District has been approved for creation and is created, and that in accordance with state law and the results of the election, the Corinth City Council is also thereby authorized to approve a resolution to appoint the Corinth City Council to serve as the Board of Directors of the City of Corinth Fire Control, Prevention, and Emergency Medical Services District.

**SECTION 4.  
Notice**

Upon adoption of this Order, the City Secretary is directed to immediately give notice of the election results concerning the proposition to the Texas Comptroller of Public Accounts and any other agency required by law.

**SECTION 5.  
Open Meeting**

It is hereby officially found and determined that the meeting at which this Order was passed was open to the public, and public notice of the time place, and purpose of said meeting was given, all as required by Article 551.041, Texas Government Code.

**SECTION 6.  
Severability**

Should any section, subsection, sentence, clause or phrase of this Order be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Order shall remain in full force and effect. The Temporary Board hereby declares that it would have passed this Order, and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences clauses and phrases be declared unconstitutional or invalid.

**SECTION 7.  
Repealing Clause**

All provisions of any order in conflict with this Order are hereby repealed. Any remaining portions of conflicting orders shall remain in full force and effect.

**SECTION 8.  
Effective Date**

This Order shall be in full force and effect from and after its passage and it is so ordered.

**PASSED AND APPROVED THIS \_\_\_\_\_ DAY OF NOVEMBER 2020.**

**TEMPORARY BOARD OF  
DIRECTORS OF THE PROPOSED  
CITY OF CORINTH FIRE CONTROL,  
PREVENTION, AND EMERGENCY  
MEDICAL SERVICES DISTRICT**

By: \_\_\_\_\_

**ATTEST:**

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Lana Wylie, City Secretary