



* * * * PUBLIC NOTICE * * * *

**NOTICE OF A CITY COUNCIL SPECIAL SESSION
OF THE CITY OF CORINTH
Tuesday, November 17, 2020, 3:35 P.M.
CITY HALL - 3300 CORINTH PARKWAY**

Pursuant to Section 551.127, Texas Government Code, one or more Council Members or employees may attend this meeting remotely using videoconferencing technology. The videoconferencing technology can be accessed at www.cityofcorinth.com/RemoteSession. The video and audio feed of the videoconferencing equipment can be viewed and heard by the public at the address posted above as the location of the meeting. The City of Corinth is following the Center for Disease Control Guidelines for public meetings.

CALL TO ORDER:

*NOTICE IS HEREBY GIVEN of a Special Session of the Corinth City Council to be held at Corinth City Hall located at 3300 Corinth Parkway, Corinth, Texas.

CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE & TEXAS PLEDGE:

"Honor the Texas Flag: I pledge allegiance to thee, Texas, one state under God, one and indivisible".

CITIZENS COMMENTS

In accordance with the Open Meetings Act, Council is prohibited from acting on or discussing (other than factual responses to specific questions) any items brought before them at this time. Citizen's comments will be limited to 3 minutes. Comments about any of the Council agenda items are appreciated by the Council and may be taken into consideration at this time or during that agenda item. Please complete a Public Input form if you desire to address the City Council. All remarks and questions addressed to the Council shall be addressed to the Council as a whole and not to any individual member thereof. Section 30.041B Code of Ordinance of the City of Corinth.

BUSINESS AGENDA

1. Consider and action on a Resolution of the City Council canvassing and declaring the results of the General Election held on November 3, 2020, for the purpose of electing persons to serve as Council Members for Place 1, Place 3, and Place 4, each for a term of two (2) years; providing confirmation of voting tabulation; and providing an effective date.

2. Formal swearing in of Council Members.
3. Consider and act on an Ordinance of the Corinth City Council canvassing and declaring the results of the November 3, 2020, Special Election.
4. Consider and act on a resolution of the City Council of the City of Corinth appointing the City Council as the permanent board of directors of the City of Corinth Fire Control, Prevention, and Emergency Medical Services District, pursuant to Chapter 344 of the Texas Local Government Code; providing for the incorporation of premises; providing cumulative repealing and severability clauses; and providing an effective date.

ADJOURN

Posted this 13th day of November 2020, at 11:30 am on the bulletin board at Corinth City Hall.

Lana Wylie, Interim City Secretary
City of Corinth, Texas

BUSINESS ITEM 1.

City Council Special Session

Meeting Date: 11/17/2020
Title: Resolution canvassing votes for the November 3, 2020 General Election
Submitted By: Lana Wylie, Administrative Assistant
City Manager Review:
Strategic Goals: Citizen Engagement & Proactive Government

AGENDA ITEM

Consider and action on a Resolution of the City Council canvassing and declaring the results of the General Election held on November 3, 2020, for the purpose of electing persons to serve as Council Members for Place 1, Place 3, and Place 4, each for a term of two (2) years; providing confirmation of voting tabulation; and providing an effective date.

AGENDA ITEM SUMMARY/BACKGROUND

On November 3, 2020, the City's general election was held under the provisions of the City Charter and the Election Code to elect Council Members to Place 1, Place 3, and Place 4 to the City Council of the City of Corinth, Texas. State law requires that the governing body of the City of Corinth canvass all elections. The returns of the General Election, including the returns of the early voting ballots, duly and legally made.

RECOMMENDATION

Staff recommends approval of the Resolution canvassing the election results.

Attachments

Resolution - General Election

RESOLUTION NO. 20-_____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS, CANVASSING AND DECLARING THE RESULTS OF THE JOINT GENERAL ELECTION HELD ON NOVEMBER 3, 2020 FOR THE PURPOSE OF ELECTING ONE (1) COUNCIL MEMBER FOR PLACE NO. 1, ONE (1) COUNCIL MEMBER FOR PLACE NO. 3, AND ONE (1) COUNCIL MEMBER FOR PLACE NO. 4, TO THE CORINTH CITY COUNCIL, EACH FOR A TERM OF TWO (2) YEARS; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR CONFIRMATION OF VOTE TABULATION AND CANVASS; PROVIDING FOR THE ISSUANCE OF CERTIFICATES OF ELECTION; PROVIDING REPEALER AND SEVERABILITY CLAUSES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on November 3, 2020, the City’s Joint General Election was held in accordance with the provisions of the City Charter and the Election Code for the purpose of electing Council members to Places, 1, 3, and 4 to the City Council of the City of Corinth, Texas after having been postponed from the original date of May 2, 2020 as a result of the Coronavirus pandemic; and

WHEREAS, state law requires that the governing body of the City of Corinth canvass all elections; and

WHEREAS, section 67.003 of the Texas Election Code provides that each local canvassing authority shall convene not earlier than the eighth (8th) day or later than the eleventh (11th) day after election day for the purpose of canvassing the election results; and

WHEREAS, section 67.004(a) of the Texas Election Code also provides that only two members of City Council are needed and constitute a quorum for the purpose of canvassing election results; and

WHEREAS, the official returns, including returns of early voting ballots cast, of the presiding judges of the Joint General Election have been presented and delivered; and the City Council acting in capacity as the Canvassing Board, met on _____, and duly canvassed such returns in accordance with the law;

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

**SECTION 1.
Incorporation of Premises**

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

**SECTION 2.
Election Properly Ordered and Held**

The City Council officially finds and determines an election was duly ordered to be held in the City of Corinth, Texas on the 3rd day of November 2020 for the purpose of electing

**SECTION 5.
Certificates of Election**

That the Mayor is hereby authorized and directed to execute and deliver Certificates of Election to the successful candidates elected at the General Election.

**SECTION 6.
Open Meeting**

It is hereby officially found and determined that the meeting at which this Resolution 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 7.
Severability**

Should any section, subsection, sentence, clause or phrase of this Resolution be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Resolution shall remain in full force and effect. Corinth hereby declares that it would have passed this Resolution, 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 8.

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

PASSED AND APPROVED THIS _____ DAY OF NOVEMBER 2020.

BILL HEIDEMANN, MAYOR

ATTEST:

LANA WYLIE, INTERIM CITY SECRETARY

APPROVED AS TO FORM:

PATRICIA A. ADAMS, CITY ATTORNEY

BUSINESS ITEM 2.

City Council Special Session

Meeting Date: 11/17/2020
Title: Oath of Office
Submitted For: Bob Hart, City Manager
Submitted By: Lana Wylie, Administrative Assistant
Finance Review: N/A
City Manager Review: Approval: Bob Hart, City Manager
Strategic Goals: Citizens Engagement & Proactive Government

Legal Review: N/A

AGENDA ITEM

Formal swearing in of Council Members.

AGENDA ITEM SUMMARY/BACKGROUND

RECOMMENDATION

BUSINESS ITEM 3.

City Council Special Session

Meeting Date: 11/17/2020
Title: Ordinance canvassing Special Elections results for November 3, 2020
Submitted By: Lana Wylie, Administrative Assistant
City Manager Review:
Strategic Goals: Citizen Engagement & Proactive Government

AGENDA ITEM

Consider and act on an Ordinance of the Corinth City Council 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 proposing 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 a resolution making such designation; providing confirmation of voting tabulation; and providing an effective date.

RECOMMENDATION

Staff recommends approval of the Ordinance.

Attachments

Ordinance - Fire District Canvass
Fire District - Order

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS, CANVASSING AND DECLARING THE RESULTS OF THE NOVEMBER 3, 2020 SPECIAL ELECTION HELD FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY, A PROPOSED CITY OF CORINTH FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT, COMPRISED OF THE CITY OF CORINTH, TEXAS, WITH 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”) 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 City of Corinth Fire Control, Prevention, and Emergency Services District, comprising 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, (the “Special Election”); and

WHEREAS, the Temporary Board of Directors of the District 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

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 at City Hall; and

WHEREAS, on November 3, 2020, a 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, 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, the Temporary Board of Directors of the proposed City of Corinth Fire Control, Prevention, and Emergency Medical Services District met on November 17, 2020, canvassed the election and issued an Order canvassing and declaring the results of the November 3, 2020 special election for the creation of the proposed District, a copy of which is attached hereto and incorporated herein as **Exhibit "A"**; and

WHEREAS, state law requires that the governing body of the City of Corinth, Texas canvass all elections; and

WHEREAS, the City Council may not convene to canvass the election until the early voting ballot board has convened and counted all provisional and overseas ballots pursuant to Section 67.003 of the Election Code; and

WHEREAS, pursuant to Section 321.405 of the Tax Code, the City Council is required to meet no later than the 10th day after the date of the Special Election to canvass election results that approve of the adoption, change in rate, or abolition of a tax authorized under Chapter 321 of the Tax Code; and

WHEREAS, due to the unusual circumstances of the 2020 election and the inability of the City to timely receive official election results from Denton County, the City Council has not been able to meet within 10 days of the Special Election to canvass the election results as the early voting ballot board of Denton County, Texas did not convene and count all provisional and overseas ballots in enough time to satisfy this deadline; and

WHEREAS, the City Council met within 17 days of the election, as required by the Election Code, to canvass 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 City Council declares the results of said returns in accordance with the law.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS:

**SECTION 1.
Incorporation of Premises**

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

**SECTION 2.
Confirmation of Vote Tabulation**

The Council 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 ()

AGAINST ()

Votes were cast as follows:

The number of votes cast "FOR" Proposition A _____
The number of votes cast "AGAINST" Proposition A _____
The number of votes by which Proposition A was approved: _____
Total Votes Cast for Proposition A: _____

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 _____
The number of votes cast "AGAINST" Proposition B _____
The number of votes by which Proposition B was approved: _____
Total Votes Cast for Proposition B: _____

**SECTION 3.
Canvass**

The Council finds that said election was duly called, that notice of said election was given in accordance with state law, that said 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 Council orders that the City of Corinth Fire Control, Prevention, and Emergency Medical Services District is created, and the Corinth City Council is 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 Ordinance, 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 Ordinance 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 Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Corinth hereby declares that it would have passed this Ordinance, 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 ordinance in conflict with this Ordinance are hereby repealed. Any remaining portions of conflicting ordinances shall remain in full force and effect.

**SECTION 8.
Effective Date**

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

PASSED AND APPROVED THIS _____ DAY OF NOVEMBER 2020.

BILL HEIDEMANN, MAYOR

ATTEST:

LANA WYLIE, INTERIM CITY SECRETARY

APPROVED AS TO FORM:

PATRICIA A. ADAMS, CITY ATTORNEY

Exhibit "A"
**Order of Temporary Board of Directors of City of Corinth Fire Control, Prevention,
and Emergency Medical Services District**

CITY OF CORINTH, TEXAS
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 ()

AGAINST ()

Votes were cast as follows:

The number of votes cast "FOR" Proposition A _____
The number of votes cast "AGAINST" Proposition A _____

The number of votes by which Proposition A was approved: _____
Total Votes Cast for Proposition A: _____

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 _____
The number of votes cast "AGAINST" Proposition B _____
The number of votes by which Proposition B was approved: _____
Total Votes Cast for Proposition B: _____

**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:

Lana Wylie, City Secretary

City Council Special Session

Meeting Date: 11/17/2020
Title: Resolution - Fire District Board of Directors
Submitted By: Lana Wylie, Administrative Assistant
City Manager Review: Approval: Bob Hart, City Manager
Strategic Goals: Citizen Engagement & Proactive Government

AGENDA ITEM

Consider and act on a resolution of the City Council of the City of Corinth appointing the City Council as the permanent board of directors of the City of Corinth Fire Control, Prevention, and Emergency Medical Services District, pursuant to Chapter 344 of the Texas Local Government Code; providing for the incorporation of premises; providing cumulative repealing and severability clauses; and providing an effective date.

AGENDA ITEM SUMMARY/BACKGROUND

The Special Election which submitted to the voters a ballot proposition serving as a confirmation 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 Resolution canvassing the election for Proposition B.

Attachments

Resolution - Fire District Board of Directors

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS, (“CITY”), APPOINTING THE CITY COUNCIL AS THE PERMANENT BOARD OF DIRECTORS, (“BOARD”), OF THE CITY OF CORINTH FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT, (“DISTRICT”), PURSUANT TO CHAPTER 344 OF THE TEXAS LOCAL GOVERNMENT CODE; PROVIDING FOR AN INCORPORATION OF PREMISES; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Corinth, Texas, (the "City") is a home rule city acting under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council and the Temporary Board of Directors of the proposed District called a joint election on November 3, 2020, to submit to the qualified voters of the City ballot propositions to approve: (1) the creation of the District and a local sales and use tax for the District at a rate of one fourth of one percent and (2) whether the City Council may appoint the City Council as Board of the District, (the “Propositions”); and

WHEREAS, the results of the November 3, 2020 election were canvassed and declared by the Temporary Board of the District and the City Council and both the Temporary Board and the Council found that the Propositions were approved by the qualified voters of the City of Corinth; and

WHEREAS, now the City Council desires to implement the Propositions and appoint the City Council as Board of the District; and

WHEREAS, pursuant to Section 344.102 of the Texas Local Government Code, before assuming the duties of the office, each director or officer will execute a bond for \$5,000.00 payable to the District, conditioned on the faithful performance of the person’s duties as director or officer. The Board may pay for the bonds of directors or officers with District funds and the Board and the District may issue and sell bonds conditioned on the faithful performance of a person's duties as a director as provided by this section.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS, THE FOLLOWING:

Section 1. Incorporation of Premises. The above premises are true and correct and are hereby incorporated into the body of this Resolution as if fully set forth herein.

Section 2. Appointment of Permanent Board of Directors. The City Council of the City of Corinth is hereby appointed to be the permanent Board of Directors of the District and the City Manager shall execute any and all documents made necessary by this appointment. Each board

member shall serve a term concurrent with that member's term as a member of the City Council of the City of Corinth.

Section 3. Cumulative Repealer Clause. This Resolution shall be cumulative of all provisions of Resolutions of the City of Corinth, Texas, except where the provisions of this Resolution are in direct conflict with the provisions of such Resolutions, in which event the conflicting provisions of such Resolutions are hereby repealed.

Section 4. Severability. If any section, article, paragraph, sentence, clause, phrase or word in this Resolution or application thereof to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Resolution, and the City Council hereby declares it would have passed such remaining portions of this Resolution despite such invalidity, which remaining portions shall remain in full force and effect.

Section 5. Effective Date. This Resolution shall be effective upon its passage.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS, ON THE ___ DAY OF _____ 2020.

CITY OF CORINTH

Bill Heidemann, Mayor

ATTEST:

Lana Wylie, Interim City Secretary

APPROVED AS TO FORM:

Patricia Adams, City Attorney