

Ordinance No. 23-05-16-18

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**CITY OF CORINTH, TEXAS  
ORDINANCE NO. 23-05-16-18**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS, CANVASSING AND DECLARING THE RESULTS OF THE JOINT GENERAL ELECTION HELD ON MAY 6, 2023 FOR THE PURPOSE OF ELECTING A MAYOR FOR A TERM OF THREE (3) YEARS, ONE (1) COUNCIL MEMBER FOR PLACE NO. 2 FOR A TERM OF TWO (2) YEARS, AND ONE (1) COUNCIL MEMBER FOR PLACE NO. 5 FOR A TERM OF THREE (3) YEARS, TO THE CORINTH CITY COUNCIL; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR CONFIRMATION OF VOTE TABULATION AND CANVASS; PROVIDING THE CANVASS OF GENERAL ELECTION AS EXHIBIT "A" AND PROVIDING FOR THE ISSUANCE OF CERTIFICATES OF ELECTION; PROVIDING REPEALER AND SEVERABILITY CLAUSES; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on May 6, 2023, 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 a Mayor and Council members to Places 2 and 5 to the City Council of the City of Corinth, Texas; 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 (8<sup>th</sup>) day or later than the eleventh (11<sup>th</sup>) 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 May 9, 2023, and duly canvassed such 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.  
Election Properly Ordered and Held**

The City Council officially finds and determines that an election was duly ordered to be held in the City of Corinth, Texas on the 6<sup>th</sup> day of May 2023 for the purpose of electing individuals to the offices of Mayor for a three (3) year term, Council Member Place 2 for a two (2) year term, and Council Member to Place 5 for a three (3) year term; that proper notice of said election was

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duly given; that proper election officers were duly appointed prior to said election; that said election has been made and delivered; and that the City Council has duly canvassed said returns all in accordance with law.

### **SECTION 3. Confirmation of Vote Tabulation**

The City Council officially finds and determines that only qualified resident voters of the City were allowed to vote at said Election, and that the following votes were cast at the Joint General Election, and that the canvass of the votes cast in said Election and returns thereof were made in accordance with the law. Further, the City Council officially finds that the returns of the Joint General Election, including the returns of the early voting ballots, duly and legally made, are as follows and has determined that each candidate for Mayor for a three (3) year term, Council Place 2 for a two (2) year term, and Council Place 5 for a three (3) year term, each seat having received the following votes:

<b>Name of Candidate</b>	<b>Absentee Votes</b>	<b>Early Voting Votes</b>	<b>Election Day Votes</b>	<b>Total Votes Received</b>
<b>Lindsey Rayl, Mayor</b>	<b>2</b>	<b>529</b>	<b>186</b>	<b>717</b>
<b>Bill Heidemann, Mayor</b>	<b>7</b>	<b>697</b>	<b>232</b>	<b>936</b>
<b>Scott Garber, Place 2</b>	<b>8</b>	<b>911</b>	<b>308</b>	<b>1227</b>
<b>Kelly Pickens, Place 5</b>	<b>8</b>	<b>921</b>	<b>256</b>	<b>1185</b>
<b>Roop Singh, Place 5</b>	<b>1</b>	<b>321</b>	<b>166</b>	<b>488</b>

### **SECTION 4. Canvass**

The City Council, acting as the canvassing board of the Joint General Election, has verified that figures on the tally sheets correspond to the figures on the returns and at the Joint General Election held on May 6, 2023, the following candidates were elected to office:

Mayor	<u>Bill Heidemann - Three (3) Years</u>
Council Place 2	<u>Scott Garber - Two (2) Years</u>
Council Place 5	<u>Kelly Pickens - Three (3) Years</u>

### **SECTION 5. Certificates of Election**

That the Mayor is hereby authorized and directed to execute and deliver the Canvass of the Joint General Election, a copy of which is attached hereto and incorporated herein as **Exhibit "A"**, in accordance with the election laws of the State of Texas, and to execute and direct the delivery of Certificates of Election to the successful candidates elected at the General Election.

### **SECTION 6. Open Meeting**

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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 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 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 8.  
Effective Date**

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

**PASSED AND APPROVED THIS 16<sup>th</sup> DAY OF MAY, 2023.**

DocuSigned by:  
*Bill Heidemann*  
AC74FAA88CA6468...  
Bill Heidemann, Mayor

ATTEST:

DocuSigned by:  
*Lana Wylie*  
D77DD89FB0C3473...  
Lana Wylie, City Secretary



**APPROVED AS TO FORM:**

DocuSigned by:  
*Patricia Adams*  
B5BAE55D871D428...  
Patricia A. Adam, City Attorney

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**CITY OF CORINTH, TEXAS  
CANVASS OF GENERAL ELECTION**

I, the undersigned Mayor of the City of Corinth, Texas, and Presiding Officer of the Canvassing Authority of the City, met on the 16<sup>th</sup> day of May 2023 with the City Council of the City, sitting as the Canvassing Board to canvass the returns of the Joint General Election held on May 6, 2023, at City Hall in the City of Corinth, Texas, as such returns related to the general election for the purpose of the election of a Mayor to serve for a three (3) year term, a member to serve in Council Place 2 for a two (2) year term, and a member to serve in Council Place 5 for a three (3) year term.

I DO HEREBY CERTIFY that the figures on the tally sheets correspond with the figures on the returns.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the City of Corinth, Texas to be affixed hereto, this the 16<sup>th</sup> day of May 2023.

DocuSigned by:  
  
AC74FAA88CA6468...  
\_\_\_\_\_  
Mayor and Presiding Officer of The Canvassing Authority  
City of Corinth, Texas

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**Exhibit "A"**



In the name and by the authority of  
The State of Texas

**THIS IS TO CERTIFY,**  
That at a General Election held on  
May 6, 2023

Scott Garber  
**was duly elected**

Council Member Place 2

In testimony whereof, I have hereunto  
signed my name and caused the Seal of  
Corinth to be affixed at the City of  
Corinth, this 16<sup>th</sup> day of May 2023.

DocuSigned by:

*Bill Heidemann*

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Signature of Presiding Officer  
Corinth, Texas

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In the name and by the authority of  
The State of Texas

**THIS IS TO CERTIFY,**  
That at a General Election held on  
May 6, 2023

Kelly Pickens  
**was duly elected**

Council Member Place 5

In testimony whereof, I have hereunto  
signed my name and caused the Seal of  
Corinth to be affixed at the City of  
Corinth, this 16<sup>th</sup> day of May 2023.

DocuSigned by:

*Bill Heidemann*

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Signature of Presiding Officer  
Corinth, Texas

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In the name and by the authority of  
The State of Texas

**THIS IS TO CERTIFY,**  
That at a General Election held on  
May 6, 2023

Bill Heidemann  
**was duly elected**

Mayor

In testimony whereof, I have hereunto  
signed my name and caused the Seal of  
Corinth to be affixed at the City of  
Corinth, this 16<sup>th</sup> day of May 2023.

DocuSigned by:

*Bill Heidemann*

AC74FAA88CA6468...

Signature of Presiding Officer  
Corinth, Texas