

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



**CITY COUNCIL SPECIAL SESSION**

**Tuesday, May 14, 2024 at 2:00 PM**

**City Hall | 3300 Corinth Parkway**

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**A. NOTICE IS HEREBY GIVEN** of a Special Session of the Corinth City Council.

**B. CALL TO ORDER**

**C. CITIZENS COMMENTS**

Please limit your comments to three 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. Council is prohibited from acting on or discussing items brought before them at this time.

**D. BUSINESS AGENDA**

1. Consider and act on an Ordinance No. 24-05-14-21 of the City Council canvassing and declaring the results of the General and Special Election held on May 4, 2024, for the purpose of electing persons to serve as Council Member for Place 1 for a term of three (3) years, Council Member for Place 3 for a term of one (1) year, and Council Member for Place 4 for a term of three (3) years, and Proposition A; providing confirmation of voting tabulation; and providing an effective date.

**E. ADJOURN**

Posted on this 10th day of May 2024 at 11:00 A.M., on the bulletin board at Corinth City Hall.

A handwritten signature in cursive script that reads "Lana Wylie".

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Lana Wylie  
City Secretary  
City of Corinth, Texas



## CITY OF CORINTH Staff Report

<b>Meeting Date:</b>	5/14/2024	<b>Title:</b>	Election   Canvass General & Special Election Results
<b>Strategic Goals:</b>	<input type="checkbox"/> Resident Engagement <input checked="" type="checkbox"/> Proactive Government <input type="checkbox"/> Organizational Development <input type="checkbox"/> Health & Safety <input type="checkbox"/> Regional Cooperation <input type="checkbox"/> Attracting Quality Development		
<b>Owner Support:</b>	<input type="checkbox"/> Planning & Zoning Commission <input type="checkbox"/> Economic Development Corporation <input type="checkbox"/> Parks & Recreation Board <input type="checkbox"/> TIRZ Board #2 <input type="checkbox"/> Finance Audit Committee <input type="checkbox"/> TIRZ Board #3 <input type="checkbox"/> Keep Corinth Beautiful <input type="checkbox"/> Ethics Commission		

**Item/Caption**

Consider and act on an Ordinance No. 24-05-14-21 of the City Council canvassing and declaring the results of the General and Special Election held on May 4, 2024, for the purpose of electing persons to serve as Council Member for Place 1 for a term of three (3) years, Council Member for Place 3 for a term of one (1) year, and Council Member for Place 4 for a term of three (3) years, and Proposition A; providing confirmation of voting tabulation; and providing an effective date.

**Item Summary/Background/Prior Action**

On May 4, 2024, the City’s Joint General Election and Joint Special Election was held under the provisions of the City Charter and the Election Code to elect Council Members to Place 1, Place 3, Place 4, and Proposition A 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 return of the General and Special Election, including the returns of the early voting ballots, duly and legally made.

Denton County Elections will provide the final election results on Monday, May 13, 2024. Ordinance No. 24-05-14-21 will reflect the final election results.

**UNOFFICIAL RESULTS**

City Council Place No.	Candidate	Absentee Votes	Early Voting	Election Day	Total Votes
Place 1	Sam Burke	70	683	262	1,015
Place 1	Orlin Chotev	22	285	120	427
Place 3	Lindsey Rayl	34	584	228	846
Place 3	Steve Holzwarth	57	441	170	668
Place 4	Tina Henderson	85	739	304	1,128

<b>Proposition A</b>	<b>Absentee Votes</b>	<b>Early Voting</b>	<b>Election Day</b>	<b>Total Votes</b>
For	107	991	409	1,507
Against	5	117	29	151

**Staff Recommendation/Motion**

Staff recommends approval of the Ordinance canvassing the final results of the General and Special Election.

**CITY OF CORINTH, TEXAS  
ORDINANCE NO. 24-05-14-21**

**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 4, 2024 FOR THE PURPOSE OF ELECTING ONE (1) COUNCIL MEMBER FOR PLACE NO. 1 FOR A TERM OF THREE (3) YEARS, ONE (1) COUNCIL MEMBER FOR PLACE NO. 3 FOR A TERM OF ONE (1) YEAR, AND ONE (1) COUNCIL MEMBER FOR PLACE NO. 4 FOR A TERM OF THREE (3) YEARS, TO THE CORINTH CITY COUNCIL; AND A JOINT SPECIAL ELECTION ON A MEASURE HELD ON MAY 4, 2024 FOR A PROPOSITION ADOPTING A CEILING OR LIMITATION ON THE CITY'S AD VALOREM TAX LEVY APPLYING TO PERSONS SIXTY-FIVE (65) YEARS OF AGE OR OLDER WHO RECEIVE A HOMESTEAD EXEMPTION SUBJECT TO THE TAX CEILING OR LIMITATION; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR CONFIRMATION OF VOTE TABULATION AND CANVASS; PROVIDING THE CANVASS OF JOINT GENERAL AND JOINT SPECIAL 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 4, 2024, the City's Joint General and Joint Special 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, and on May 4, 2024, a proposition authorizing the adoption of a ceiling or limitation on the City Ad valorem tax levy of a person who is sixty-five (65) years of age or older who makes application for and receives a homestead exemption; 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 third (3<sup>rd</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 and Joint Special Election have been presented and delivered; and the City Council acting in capacity as the Canvassing Board, met on May 14, 2024, 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 a Joint General and a Joint Special Election was duly ordered to be held in the City of Corinth, Texas on the 4<sup>th</sup> day of May 2024 (collectively the “Election”), the Joint General Election being held for the purpose of electing individuals to the offices of Council Member Place 1 for a three (3) year term, Council Member Place 3 for a one (1) year term, and Council Member to Place 4 for a three (3) year term and a Joint Special Election being held on a measure for the purpose of submitting to the voters a proposition authorizing the adoption of a ceiling or limitation on the City Ad valorem tax levy of a person who is sixty-five (65) years of age or older who makes application for and receives a homestead exemption; that proper notice of said election was 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 Joint Special Election, and that the canvass of the votes cast in said Election and returns thereof were made in accordance with the law.

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 Council Member Place 1 for a three (3) year term, Council Place 3 for a one (1) year term, and Council Place 4 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>Sam Burke, Place 1</b>				
<b>Orlin Chotev, Place 1</b>				
<b>Lindsey Rayl, Place 3</b>				
<b>Steve Holzwarth, Place 3</b>				
<b>Tina Henderson, Place 4</b>				

The City Council officially finds that the returns of the Joint Special Election, including the returns of the early voting ballots, duly and legally made, received the following votes:

<b>Proposition A Ad Valorem Property Tax Ceiling – 65 and Over</b>	<b>Absentee Votes</b>	<b>Early Voting Votes</b>	<b>Election Day Votes</b>	<b>Total Votes Received</b>
<b>For</b>				
<b>Against</b>				

**SECTION 4.  
Canvass**

The City Council, acting as the canvassing board of the Joint General Election and Joint Special Election, has verified that figures on the tally sheets correspond to the figures on the returns and at the Joint General Election and Joint Special Election held on May 4, 2024, the following candidates were elected to office and the following proposition was voted on:

Council Place 1	- <u>Three (3) Years</u>
Council Place 3	- <u>One (1) Year</u>
Council Place 4	<u>Tina Henderson - Three (3) Years</u>

Proposition A

“Authorizing the adoption of a ceiling or limitation on the City Ad valorem tax levy of a person who is sixty-five (65) years of age or older who makes application for and receives a homestead exemption.”

**FOR**

**AGAINST**

**SECTION 5.  
Certificates of Election**

That the Mayor is hereby authorized and directed to execute and deliver the Canvass of the Joint General Election and Joint Special 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 Joint General Election.

**SECTION 6.  
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 7.  
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 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 14<sup>th</sup> DAY OF MAY, 2024.**

\_\_\_\_\_  
Bill Heidemann, Mayor

**ATTEST:**

\_\_\_\_\_  
Lana Wylie, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Patricia A. Adam, City Attorney

**CITY OF CORINTH, TEXAS**  
**CANVASS OF JOINT GENERAL ELECTION AND JOINT SPECIAL ELECTION**

I, the undersigned Mayor of the City of Corinth, Texas, and Presiding Officer of the Canvassing Authority of the City, met on the 14<sup>th</sup> day of May 2024 with the City Council of the City, sitting as the Canvassing Board to canvass the returns of the Joint General Election and Joint Special Election held on May 4, 2024, at City Hall in the City of Corinth, Texas, as such returns related to the general election and special election for the purpose of the election a member to serve in Council Place 1 to serve for a three (3) year term, a member to serve in Council Place 3 for a one (1) year term, and a member to serve in Council Place 4 for a three (3) year term and a Joint Special Election being held on a measure for the purpose of submitting to the voters a proposition authorizing the adoption of a ceiling or limitation on the City Ad valorem tax levy of a person who is sixty-five (65) years of age or older who makes application for and receives a homestead exemption .

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 14<sup>th</sup> day of May 2024.

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Bill Heidemann  
Mayor and Presiding Officer of The Canvassing Authority  
City of Corinth, Texas



**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 4, 2024

**was duly elected**

Council Member Place 1

In testimony whereof, I have hereunto  
signed my name and caused the Seal of  
Corinth to be affixed at the City of  
Corinth, this 14<sup>th</sup> day of May 2024.

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Signature of Presiding Officer  
Corinth, Texas



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

**THIS IS TO CERTIFY,**  
That at a General Election held on  
May 4, 2024

**was duly elected**

Council Member Place 3

In testimony whereof, I have hereunto  
signed my name and caused the Seal of  
Corinth to be affixed at the City of  
Corinth, this 14<sup>th</sup> day of May 2024.

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Signature of Presiding Officer  
Corinth, Texas



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

**THIS IS TO CERTIFY,**  
That at a General Election held on  
May 4, 2024

Tina Henderson  
**was duly elected**

Council Member 4

In testimony whereof, I have hereunto  
signed my name and caused the Seal of  
Corinth to be affixed at the City of  
Corinth, this 14<sup>th</sup> day of May 2024.

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Signature of Presiding Officer  
Corinth, Texas