

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



## CITY COUNCIL WORKSHOP AND REGULAR SESSION

Thursday, February 15, 2024 at 5:45 PM

City Hall | 3300 Corinth Parkway

View live stream: [www.cityofcorinth.com/remotesession](http://www.cityofcorinth.com/remotesession)

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Pursuant to section 551.127, Texas Government Code, one or more council members or employees may attend this meeting remotely using videoconferencing technology.

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**A. NOTICE IS HEREBY GIVEN** of a Workshop Session and Regular Meeting of the Corinth City Council.

**B. CALL TO ORDER**

**C. WORKSHOP AGENDA**

- [1.](#) Provide a presentation and conduct an informal discussion on proposed text amendments for MX-C Mixed-Use Commercial Zoning District, Section 2.06.02 of the Unified Development Code.
2. Discuss items on the Regular Session Agenda, including the consideration of Executive Session items.

**D. ADJOURN WORKSHOP**

**E. CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE & TEXAS PLEDGE**

**F. 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.

**G. CONSENT AGENDA**

All matters listed under the consent agenda are considered to be routine and will be enacted in one motion. Should the Mayor or a Council Member desire discussion of any item, that item will be removed from the Consent Agenda and will be considered separately.

- [1.](#) Consider and act on minutes from the January 18, 2024, City Council Meeting.

**H. PUBLIC HEARING**

- [2.](#) Conduct a Public Hearing to consider testimony and act on an ordinance amending Section 2.10.09.C.2.b. - PD, Planned Development Application and Review of the City's Unified Development Code. Case No. ZTA24-0001 – UDC Amendment

**I. BUSINESS AGENDA**

- [3.](#) Consider and act on an Ordinance of the City of Corinth, Texas, calling for a Joint General Election with Denton County to be held on Saturday, May 4, 2023, for the purpose of electing one Council Member for Place 1, Place 3, and Place 4 to serve as members of the Corinth City Council; and authorize the City Manager to execute the necessary documents to effectuate the intent of this Ordinance.
- [4.](#) Consider and act on an Ordinance of the City of Corinth, Texas, calling for the purpose of submitting to the qualified voters of the City of Corinth, Texas, for the adoption or rejection, 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 and authorize the City Manager to execute the necessary documents to effectuate the intent of this Ordinance.

#### **J. COUNCIL COMMENTS & FUTURE AGENDA ITEMS**

The purpose of this section is to allow each Council Member the opportunity to provide general updates and/or comments to fellow Council Members, the public, and/or staff on any issues or future events. Also, in accordance with Section 30.085 of the Code of Ordinances, at this time, any Council Member may direct that an item be added as a business item to any future agenda.

#### **K. EXECUTIVE SESSION\*\***

In accordance with Chapter 551, Texas Government Code, Section 551.001, et seq., (the "Texas Open Meetings Act"), the City Council will recess into Executive Session (closed meeting) to discuss the following items. Any necessary final action or vote will be taken in public by the City Council in accordance with this agenda.

**Section 551.071 - Legal Advice.** (1) Private consultation with its attorney to seek advice about pending or contemplated litigation; and/or settlement offer; and/or (2) 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 conflict with Chapter 551.

a. Fairview Swim Club.

**Section 551.074 - Personnel Matters.** 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.

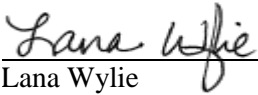
a. City Manager duties/oversight regarding personnel and department structure.

#### **L. RECONVENE IN OPEN SESSION TO TAKE ACTION, IF NECESSARY, ON EXECUTIVE SESSION ITEMS**

#### **M. ADJOURN**

\*\*The City Council reserves the right to recess into closed session at any time during the course of this meeting to discuss any of the matters posted on this agenda, as authorized by the Texas Open Meetings Act, Texas Government Code, Section 551.071, "Consultation with Attorney" for the purpose of receiving legal advice.

Posted on this 12th day of February 2024, at 5:00 P.M., on the bulletin board at Corinth City Hall.

  
\_\_\_\_\_  
Lana Wylie  
City Secretary  
City of Corinth, Texas



CITY OF CORINTH

Staff Report

Meeting Date:	2/15/2024	Title:	Workshop – Proposed MX-C Amendments
Strategic Goals:	<input type="checkbox"/> Resident Engagement <input checked="" type="checkbox"/> Proactive Government <input checked="" type="checkbox"/> Organizational Development <input checked="" type="checkbox"/> Health & Safety <input type="checkbox"/> Regional Cooperation <input checked="" type="checkbox"/> Attracting Quality Development		
Owner Support:	<div> <input type="checkbox"/> Planning &amp; Zoning Commission <input type="checkbox"/> Economic Development Corporation </div> <div> <input type="checkbox"/> Parks &amp; Recreation Board <input type="checkbox"/> TIRZ Board #2 </div> <div> <input type="checkbox"/> Finance Audit Committee <input type="checkbox"/> TIRZ Board #3 </div> <div> <input type="checkbox"/> Keep Corinth Beautiful <input type="checkbox"/> Ethics Commission </div>		

Item/Caption

Provide a presentation and conduct an informal discussion on proposed text amendments for MX-C Mixed-Use Commercial Zoning District, Section 2.06.02 of the Unified Development Code.

Item Summary/Background/Prior Action

Melissa Dailey, Director of Development Services, will provide a presentation and conduct an informal discussion on proposed text amendments for MX-C Mixed-Use Commercial Zoning District, Section 2.06.02 of the Unified Development Code.

Financial Impact

N/A

Applicable Policy/Ordinance

Unified Development Code

Staff Recommendation/Motion

N/A



CITY OF CORINTH

Staff Report

Meeting Date:	2/15/2024	Title:	Minutes   Approval of Meeting Minutes
Strategic Goals:	<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		
Owner Support:	<div> <input type="checkbox"/> Planning &amp; Zoning Commission    <input type="checkbox"/> Economic Development Corporation           </div> <div> <input type="checkbox"/> Parks &amp; Recreation Board    <input type="checkbox"/> TIRZ Board #2           </div> <div> <input type="checkbox"/> Finance Audit Committee    <input type="checkbox"/> TIRZ Board #3           </div> <div> <input type="checkbox"/> Keep Corinth Beautiful    <input type="checkbox"/> Ethics Commission           </div>		

**Item/Caption**

Consider and act on minutes from the January 18, 2024, City Council Meeting.

**Item Summary/Background/Prior Action**

Attached are the minutes, in draft form, and are not considered official until formally approved by the City Council.

**Staff Recommendation/Motion**

Staff recommends approval of the minutes.



## CITY COUNCIL WORKSHOP AND REGULAR SESSION - MINUTES

Thursday, January 18, 2024 at 5:45 PM

City Hall | 3300 Corinth Parkway

View live stream: <https://www.cityofcorinth.com/city-council/page/city-council-workshop-and-regular-session-95>

### STATE OF TEXAS COUNTY OF DENTON CITY OF CORINTH

On this, the 18th day of January 2024, the City Council of the City of Corinth, Texas, met at Corinth City Hall at 5:45 P.M., located at 3300 Corinth Parkway, Corinth, Texas. The meeting date, time, place, and purpose as required by Title 5, Subtitle A, Chapter 551, Subchapter C, Section 551.041, Government Code, with the following members to wit:

#### Council Members Present:

Bill Heidemann, Mayor  
Sam Burke, Mayor Pro Tem  
Scott Garber, Council Member  
Steve Holzwarth, Council Member  
Tina Henderson, Council Member  
Kelly Pickens, Council Member

#### Staff Members Present:

Scott Campbell, City Manager  
Emma Crotty, Economic Development Coordinator & Mgmt Assistant  
Patricia Adams, City Attorney  
Chad Thiessen, Fire Chief  
Glenn Barker, Director of Public Works  
Tristan Cisco, Engineering Project Manager  
Haley Koehler, Senior Administrative Assistant  
Melissa Dailey, Director of Development Services  
Michelle Mixell, Planning Manager  
Miguel Inclan, Planner  
Brenton Copeland, Chief Technology Officer  
Cesar Balderas, Information Technology Services Manager  
Lance Stacy, City Marshal

### CALL TO ORDER

Mayor Heidemann called the Workshop Session to order at 5:45 P.M.

### WORKSHOP AGENDA

1. Provide update for the Water Conservation and Drought Contingency Plans.

The item was presented and discussed.

2. Discuss items on the Regular Session Agenda, including the consideration of Executive Session items.

No items for the Regular Session Agenda were discussed.

## **ADJOURN WORKSHOP**

Mayor Heidemann adjourned the Workshop Session at 6:12 P.M. and immediately convened into Executive Session.

## **EXECUTIVE SESSION\*\***

In accordance with Chapter 551, Texas Government Code, Section 551.001, et seq., (the “Texas Open Meetings Act”), the City Council will recess into Executive Session (closed meeting) to discuss the following items. Any necessary final action or vote will be taken in public by the City Council in accordance with this agenda.

**Section 551.071 - Legal Advice.** (1) Private consultation with its attorney to seek advice about pending or contemplated litigation; and/or settlement offer; and/or (2) 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 conflict with Chapter 551.

a. Interlocal Agreement between the City of Corinth, Texas and the Lake Cities, for Fire Services.

**Section 551.072 - Real Estate.** To deliberate the purchase, exchange, lease, or value of real property if deliberations in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person.

a. Project Lynchburg Creek.

## **RECONVENE IN OPEN SESSION TO TAKE ACTION, IF NECESSARY, ON EXECUTIVE SESSION ITEMS**

Mayor Heidemann recessed the Executive Session at 6:55 P.M. Action was taken during agenda item 15.

## **CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE & TEXAS PLEDGE**

Mayor Heidemann called the Regular Session Meeting to order at 7:01 P.M.

## **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.

No citizen comments were made.

## **CONSENT AGENDA**

All matters listed under the consent agenda are considered to be routine and will be enacted in one motion. Should the Mayor or a Council Member desire discussion of any item, that item will be removed from the Consent Agenda and will be considered separately.

Council Member Holzwarth recused himself from this item.

1. Consider and act on minutes from the January 4, 2024, City Council Meeting.
2. Consider and act on a contract with Digital Air Control, Inc in an amount not to exceed \$154,565 to install security cameras and controlled access for Agora.

3. Consider and act on a contract with Fuquay Inc. using Buy Board contract #635-21 to repair 1050 linear feet of sewer pipe located adjacent to Old 77 highway in an amount not to exceed \$217,943 and authorizing the City Manager to execute the necessary documents.
4. Consider and act on the purchase of residential water meters through Atlas Utility Supply Company as a sole source for Badger equipment in an amount not to exceed \$132,815 and authorize the City Manager to execute the necessary documents.
5. Consider and act on the purchase of a dump truck through Rush Truck Center using Buy Board Contract 723-23 in an amount not to exceed \$126,721 and authorize the City Manager to execute the necessary documents.
6. Consider and act on an ordinance amending the Zoning Ordinance and Zoning Map of the City of Corinth, each being a part of the Unified Development Code, by amending Planned Development No. 55 (PD-55) for the purpose of modifying land use regulations, increasing the number of lots, and updating associated exhibits on approximately  $\pm 5.4$  acres located the southwest corner of FM 2499 and FM 2181. (Case No. ZAPD23-0005 – Corinth Corners)
7. Consider and act on an Ordinance amending the Land Use & Development Strategy Map by changing the Place Type designations of multiple parcels of land totaling approximately  $\pm 150$  acres generally located south of Shady Shores Road, along the east and west sides of North Corinth Street, east of I-35 E and north of Corinth Parkway within the City of Corinth. Case No. CPA23-0002 – Land Use Assumptions Mixed Use-TOD
8. Consider and act on an ordinance amending the City of Corinth Comprehensive Plan “Envision Corinth 2040” Master Thoroughfare Plan, Section 5, Mobility Strategy, by removing the proposed Future Collector Roadway connecting Lake Sharon Drive to Hollis Drive. Case No. CPA23-0001
9. Consider and act on an ordinance amending the Zoning Ordinance and Zoning Map of the City of Corinth, each being a part of the Unified Development Code, from SF-4 Single Family Residential and C-1 Commercial to a Planned Development with a base zoning district of SF-4 Single Family Residential, for the development of a residential subdivision on approximately  $\pm 57$  acres generally south of Lake Sharon Drive, north of Hollis Drive and Custer Drive, east of the Fairview West subdivision, and west Lavina Drive and Trinity Terrace. Case No. ZAPD23-0003 – Oak Ridge Park
10. Consider and act on an ordinance amending the Zoning Ordinance and Zoning Map of the City of Corinth, each being a part of the Unified Development Code, from SF-2 Single Family Residential to a Planned Development with a base zoning district of SF-4 Single Family Residential for the development of 68 single family lots on approximately  $\pm 20$  acres generally located on the east side of Post Oak Drive, north of the Terrace Oaks Subdivision, and south of the Provence Subdivision. (Case No. ZAPD23-0006 – Hillside Corinth)

Motion made by Council Member Garber to approve the Consent Agenda as presented. Seconded by Council Member Henderson.

Voting Yea: Mayor Pro Tem Burke, Council Member Garber, Council Member Henderson, Council Member Pickens

Voting Abstaining: Council Member Holzwarth

## **BUSINESS AGENDA**

11. Consider and act on a Resolution appointing Jared Eutsler to the Denton County Transportation Authority Board of Directors.

Motion made by Council Member Garber to approve Resolution No. 24-01-18-01 appointing Jared Eutsler to the Denton County Transportation Authority Board of Directors, with the term ending November 12, 2025. Seconded by Council Member Pickens.

Voting Yea: Mayor Pro Tem Burke, Council Member Garber, Council Member Holzwarth, Council Member Henderson, Council Member Pickens

12. Consider and act on the Second Amended and Restated Chapter 380 Economic Development Agreement between Rak Real Estate Equities – Corinth LLC and the City of Corinth.

Motion made by Council Member Henderson to approve the Second Amended and Restated Chapter 380 Economic Development Agreement between Rak Real Estate Equities – Corinth LLC and the City of Corinth. Seconded by Mayor Pro Tem Burke.

Voting Yea: Mayor Pro Tem Burke, Council Member Garber, Council Member Holzwarth, Council Member Henderson, Council Member Pickens

13. Consider and act on acceptance of the dedication of an approximate .516 Acres to the City, all or portions of the property legally described as being situated in the M.E.P. & P.R.R. Co. Survey, Abstract Number 911 and the L. Bates Survey, Abstract Number 204, Denton County, Texas, and being a portion of that certain tract of land described by deed to Floyd Real Properties, LLC., recorded under Instrument Number 2021-23077, Official Public Records, Denton County, Texas, and being a portion of that certain tract of land described by deed to Floyd Real Properties, LLC., recorded Instrument Number 2020-210968, O.P.R.D.C.T.; and authorizing the Mayor or designee to execute the necessary documents.

Motion made by Mayor Pro Tem Burke to approve the land dedication for the property located on .516 Acres all or portions of the property legally described as being situated in the M.E.P. & P.R.R. Co. Survey, Abstract Number 911 and the L. Bates Survey, Abstract Number 204, Denton County, Texas, and being a portion of that certain tract of land described by deed to Floyd Real Properties, LLC., recorded under Instrument Number 2021-23077, Official Public Records, Denton County, Texas, and being a portion of that certain tract of land described by deed to Floyd Real Properties, LLC., recorded Instrument Number 2020-210968, O.P.R.D.C.T. Seconded by Council Member Garber.

Voting Yea: Mayor Pro Tem Burke, Council Member Garber, Council Member Holzwarth, Council Member Henderson, Council Member Pickens

14. Consider and act on a Change Order for the Byrne Construction Manager at Risk Contract in the amount \$268,622 for a total contract price of \$11,594,554 for construction of The Commons at Agora and authorize the City Manager to execute the necessary documents.

Motion made by Council Member Garber to approve the Change Order for the Byrne Construction Manager at Risk Contract in the amount of \$268,622 for a total contract price of \$11,594,554 for the construction of The Commons at Agora and authorize the City Manager to sign any necessary documents. Seconded by Council Member Pickens.

Voting Yea: Mayor Pro Tem Burke, Council Member Garber, Council Member Holzwarth, Council Member Henderson, Council Member Pickens

## **COUNCIL COMMENTS & FUTURE AGENDA ITEMS**

The purpose of this section is to allow each Council Member the opportunity to provide general updates and/or comments to fellow Council Members, the public, and/or staff on any issues or future events. Also, in accordance with Section 30.085 of the Code of Ordinances, at this time, any Council Member may direct that an item be added as a business item to any future agenda.



15. Consider and act on the acquisition of an approximate 6.98 acres of land located in the William C. Garrison Survey, Abstract No. 508, and located along 2455 Silver Meadow Lake, City of Corinth, and providing authority to the City Manager to affect the purchase.

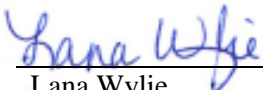
Motion made by Mayor Pro Tem Burke, I move to direct the City Manager, City Right-Of-Way Agent/Representative, and City Attorney to proceed to negotiate and purchase property interests for drainage and utility infrastructure for the Lynchburg Creek Project which includes an approximate 7.01-acre tract or 305,355.60 square feet of land being out of the William C. Garrison Survey, Abstract No. 508, City of Corinth, Denton County, Texas and generally located along 2455 Silver Meadow Lane, City of Corinth, Denton County Texas, including obtaining an appraisal, a survey, and a title commitment, mailing initial offer letter(s) and final offer letter(s) to the property owners as directed in closed session in the range discussed based on the appraisal discussed with Council, including the signing and filing all paperwork necessary to complete the transfer of property interest(s) to the city, and authorizing such approved funds to be paid to the property owners. If any of these actions that were necessary for the acquisition of the properties or easements for this project have already been completed by the city manager, right-of-way agent and/or city attorney those actions including all negotiations and documents executed prior to this date are so ratified. Seconded by Council Member Garber.

Voting Yea: Mayor Pro Tem Burke, Council Member Garber, Council Member Holzwarth, Council Member Henderson, Council Member Pickens

## ADJOURN

Mayor Heidemann adjourned the Regular Session Meeting at 7:17 P.M.

Approved by the Council on the \_\_\_\_\_ day of \_\_\_\_\_ 2024.



Lana Wylie  
City Secretary  
City of Corinth, Texas



## CITY OF CORINTH

### Staff Report

<b>Meeting Date:</b>	2/15/2024	<b>Title:</b>	Unified Development Code Amendment (ZTA24-0001)
<b>Strategic Goals:</b>	<input type="checkbox"/> Resident Engagement <input checked="" type="checkbox"/> Proactive Government <input checked="" type="checkbox"/> Organizational Development <input checked="" type="checkbox"/> Health & Safety <input type="checkbox"/> Regional Cooperation <input checked="" type="checkbox"/> Attracting Quality Development		
<b>Owner Support:</b>	<div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;"> <input checked="" type="checkbox"/> Planning &amp; Zoning Commission  <input type="checkbox"/> Parks &amp; Recreation Board  <input type="checkbox"/> Finance Audit Committee  <input type="checkbox"/> Keep Corinth Beautiful </div> <div style="width: 50%;"> <input type="checkbox"/> Economic Development Corporation  <input type="checkbox"/> TIRZ Board #2  <input type="checkbox"/> TIRZ Board #3  <input type="checkbox"/> Ethics Commission </div> </div> <p>At their January 22, 2024 Regular Session, the Planning &amp; Zoning Commission voted unanimously to recommend approval of the proposed text amendment.</p>		

#### Item/Caption

Conduct a Public Hearing to consider testimony and act on an ordinance amending Section 2.10.09.C.2.b. - PD, Planned Development Application and Review of the City's Unified Development Code. Case No. ZTA24-0001 – UDC Amendment

#### Item Summary/Background/Prior Action

The proposed amendment is to allow for narrative components of the PD Design Statement to be included within Planned Development Ordinances as needed to provide supporting information that assists in providing context for PD requirements.

Specifically, Staff recommends amending Section 2.10.09.C.2.b to remove the following text:

“(Narrative components of the PD Design Statement are supporting information for staff and elected or appointed officials and will not be included in the adopted PD ordinance).”

#### Financial Impact

N/A

#### Applicable Policy/Ordinance

Unified Development Code

#### Staff Recommendation

Staff recommends approval of the proposed amendment as presented.

#### Motion

“I move to approve Case No. ZTA24-0001 as presented.”

#### Attachment

1. Proposed Ordinance

**CITY OF CORINTH, TEXAS  
ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS, AMENDING THE CITY’S ZONING ORDINANCE, A PART OF THE UNIFIED DEVELOPMENT CODE OF THE CITY OF CORINTH (“UDC”) BY AMENDING SECTION 2, “ZONING REGULATIONS”, SECTION 2.10.09, “PD – PLANNED DEVELOPMENT APPLICATION AND REVIEW”, SUBSECTION 2.10.09(C)(2)(B), “PD DESIGN STATEMENT”; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR AMENDMENTS; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS/CONFLICT CLAUSE; PROVIDING A PENALTY CLAUSE WITH A PENALTY OF FINE UP TO \$2,000 FOR EACH VIOLATION THAT OCCURS AND FOR EACH DAY SUCH VIOLATION CONTINUES; PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.**

**WHEREAS**, the City of Corinth (the “City”) is a home-rule municipality located in Denton County, Texas created in accordance with the provisions of Chapter 9 of the Local Government Code and operating pursuant to the enabling legislation of the State of Texas and its home rule charter; and

**WHEREAS**, Subsection 2.10.09 (C)(2)(b), “PD Design Statements”, of Section 2, “Zoning Regulations” of the Zoning Ordinance of the City, such ordinance being a part of the City’s Unified Development Code and regulating Planned Development Districts, currently prohibits narrative components of a PD Design Statement from being included in an adopted ordinance; and

**WHEREAS**, the City Council has determined that Section 2.10.09 (C)(2)(b) of Section 2, “Zoning Regulations” of the Unified Development Code should be amended to allow for narrative components of the PD Design Statement to be included within Planned Development Ordinances as needed to provide supporting information that assists in providing context for PD requirements; and

**WHEREAS**, both the City Council and Planning and Zoning Commissions provided notice and held public hearings to allow public input and considered the amendment to the PD-Planned Development Application and Review Section contained within the Unified Development Code of the City of Corinth as set forth herein, the City Council has determined and finds that the proposed amendment outlined herein are reasonable and necessary for the regulation of land use and land development and for the protection and preservation of public health, safety and welfare.

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

**SECTION 1**  
**INCORPORATION OF PREMISES**

The above and foregoing Recitals constitute legislative findings of the City Council, are true and correct and are incorporated into the body of this Ordinance for all purposes.

## **SECTION 2** **AMENDMENT**

The introductory paragraph of Section 2.10.09, “PD, Planned Development Application and Review”, Subsection C “Planned Development (PD) Steps for Creation and Development”, Paragraph 2, “Step 2. PD Application for Rezoning and Planned Development Proposal”, Subparagraph “b”, “PD Design Statement” of Subsection 2.10, “Zoning Procedures”, of Section 2, “Zoning Regulations” of the Unified Development Code of the City of Corinth (the “UDC”) is hereby amended to be and read in its entirety as follows and all other subsections and paragraphs of Subsection 2.10.09(C)(2)(b), “PD Design Statement” of Section 2, “Zoning Regulations” of the UDC not expressly amended hereby shall remain in full force and effect without amendment:

### **Section 2. Zoning Regulations**

#### **Subsection 2.10.09. – PD, Planned Development Application and Review**

...

#### **C. Planned Development (PD) Steps for Creation and Development.**

...

#### **2. Step 2. PD Application for Rezoning and Planned Development Proposal.**

...

“(b) PD Design Statement. The PD Design Statement shall be a written report submitted as a part of the Planned Development Proposal and shall contain a minimum of the following elements:”

...

## **SECTION 3** **CUMULATIVE REPEALER**

This Ordinance shall be cumulative of the Unified Development Code and all other Ordinances of the City of Corinth and shall not repeal any of the provisions of such Ordinances except for those instances where there are direct conflicts with the provisions of this Ordinance or where expressly repealed hereby. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance.

## **SECTION 4** **SEVERABILITY**

If any section, subsection, clause, phrase, or provision of this Ordinance, or the application thereof to any person or circumstance, shall to any extent be held by a court of competent jurisdiction to be invalid, void, or unconstitutional, the remaining sections, subsections, clauses, phrases, and provisions of this Ordinance, or the application thereof to any person or circumstance, shall remain in full force and effect and shall in no way be affected, impaired or invalidated.

## **SECTION 5** **SAVINGS/CONFLICT**

In the event of a conflict between the provisions of this Ordinance and any other regulation or rule prescribed by charter, another ordinance, resolution or other authorization of the City, the provisions of this ordinance shall control. Notwithstanding the foregoing, all rights and remedies of the City are expressly saved as to any and all complaints, actions, claims, or lawsuits, which have been initiated or have arisen under or pursuant to such conflicting Ordinance, or portion thereof, on the date of adoption of this Ordinance shall continue to be governed by the provisions of that Ordinance and for that purpose the conflicting Ordinance shall remain in full force and effect.

**SECTION 6**  
**PENALTY**

Any person, firm or corporation who violates any provision of this Ordinance or the Code of Ordinances, as amended hereby, shall be subject to a fine not to exceed the sum of five hundred dollars (\$500.00) for each offense, and each and every day any such offense shall continue shall be deemed to constitute a separate offense, provided, however, that in all cases involving an intentional, knowing, reckless or criminally negligent violation of any provision of this ordinance or Code of Ordinances, as amended hereby, governing public health shall be subject to a fine not to exceed the sum of two thousand dollars (\$2,000.00) for each offense, and each and every day any such offense shall continue shall be deemed to constitute a separate offense.

**SECTION 7**  
**PUBLICATION/EFFECTIVE DATE**

This Ordinance shall take effect upon its publication as required by law. The City Secretary is directed to publish the caption and penalty of this Ordinance as required by the City Charter and state law.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS on this the 15<sup>th</sup> day of February, 2024.**

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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



## CITY OF CORINTH

### Staff Report

<b>Meeting Date:</b>	2/15/2024	<b>Title:</b>	Ordinance   General Election
<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 of the City of Corinth, Texas, calling for a Joint General Election with Denton County to be held on Saturday, May 4, 2023, for the purpose of electing one Council Member for Place 1, Place 3, and Place 4 to serve as members of the Corinth City Council; and authorize the City Manager to execute the necessary documents to effectuate the intent of this Ordinance.

#### Item Summary/Background/Prior Action

The General Election for City Council Members is set forth by the Home Rule Charter and by the Texas Election Code and is required to be held on May 4, 2024, at which time the voters will elect persons to fill Council Member Places 1, 3 and 4.

During the May 2022 General Election, the residents of Corinth approved a Charter Amendment to increase City Council term limits from two years to three years, with Council Members serving at large by majority vote. Ordinance No. 22-05-18-19 canvassed the results of the Charter Amendment Election and outlines the staggered terms for each Place.

Beginning at the May 2024 General Election, candidates may apply for a place on the ballot for Council Place 1, Council Place 3, or Council Place 4. The terms are as follows:

Council Place 1 and Council Place 4 shall be for a term of three (3) years each, and continuously thereafter, the term of office for Council Place 1 and Council Place 4 shall be for three (3) years each.

Council Place 3 shall be for a term of one (1) year, and continuously thereafter, the term of office for Council Place 3 shall be for three (3) years.

The Texas Election Code authorizes the governing bodies of political subdivisions to hold joint elections and this Ordinance orders a joint election and establishes and sets forth procedures for conducting the election.

#### Staff Recommendation/Motion

To approve the Ordinance calling a General Election for the purpose of electing City Council Place 1, Place 3, and Place 4 to the City of Corinth City Council.

**CITY OF CORINTH, TEXAS  
ORDINANCE NO.**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS, ORDERING AND CALLING A JOINT GENERAL ELECTION WITH DENTON COUNTY TO BE HELD ON MAY 4, 2024 FOR THE PURPOSE OF ELECTING PERSONS TO FILL THE FOLLOWING OFFICES ON THE CORINTH CITY COUNCIL: ONE (1) COUNCIL MEMBER FOR PLACE NO. 1 FOR A TERM OF THREE (3) YEARS, AND ONE (1) COUNCIL MEMBER FOR PLACE NO. 3 FOR A TERM OF ONE (1) YEAR AND CONTINUOUSLY THEREAFTER, THE TERM FOR COUNCIL MEMBER NO. 3 SHALL BE FOR THREE (3) YEARS; AND ONE (1) COUNCIL MEMBER FOR PLACE NO. 4 FOR A TERM OF THREE (3) YEAR; PROVIDING FOR THE INCORPORATION OF PREMISES; SPECIFYING THE DATE OF ELECTION; ESTABLISHING PROCEDURES FOR THE ELECTION; PROVIDING FOR ADMINISTRATION OF A JOINT GENERAL ELECTION BY DENTON COUNTY; PROVIDING FOR PUBLICATION AND POSTING OF NOTICE OF ELECTION; PROVIDING AN AGREEMENT WITH DENTON COUNTY; ESTABLISHING DATES FOR CANVASSING; 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**, Section 3.004 of the Texas Election Code, (the "Election Code"), provides that the governing body of a municipality shall be the authority to order a Joint General Election; and

**WHEREAS**, the City Council desires to and hereby calls a Joint General Election for the purpose of electing three (3) City Council members to the City of Corinth City Council, such election to be held as set forth by Charter and by the Texas Election Code; and

**WHEREAS**, the Joint General Election shall be held on May 4, 2024, at which time the voters will elect persons to fill City Council Places No. 1, 3 and 4, of the Corinth City Council with Council Member No. 1 being elected for a term of three (3) years each. Council Member No. 3 being elected for a term of one (1) year and continuously thereafter the term of office shall be for three (3) years; and Council Member No. 4 being elected for a term of three (3) years.

**WHEREAS**, the Texas Election Code authorizes the governing bodies of political subdivisions to hold joint elections; and

**WHEREAS**, the City is entering into an Interlocal Agreement for Election Services with Denton County to assist in the election administration meeting the requirements of the Election Code, a copy of which agreement shall be incorporated into this Ordinance upon approval and execution by Denton County and the City; and

**WHEREAS**, the Joint General Election shall be conducted in accordance with the Election Code under the jurisdiction of the Denton County Elections Administrator (the “Election Administrator”); and

**WHEREAS**, Section 85.004 of the Election Code provides that an election order and the election notice must state the location of the main early voting polling place; and

**WHEREAS**, by this Ordinance, it is the intention of the City Council to hold a joint general election, to designate early voting polling location, to set forth dates for canvassing of the Joint General Election and to establish and set forth the procedures for conducting the Election as required by the Texas Election Code and City Charter.

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

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

**Section 2. Joint General Election Called.** A Joint General Election, (the “Election”), is hereby ordered and called to elect one (1) Council Member to Place No. 1 for a term of three (3) years, and one (1) Council Member to Place No. 4 for a term of three (3) years and one (1) Council Member No. 3 for a term of one (1) year and continuously thereafter, the term of office shall be for three (3) years on the City Council of the City of Corinth. The Election shall be held at the Corinth City Hall, 3300 Corinth Parkway, Corinth, Texas 76208, on the 4<sup>th</sup> day of May 2024, from 7:00 a.m. until 7:00 p.m.

**Section 3. Application for Place on Ballot.** Election Code Section 141.001, as amended, and Section 3.03 of the Corinth Home Rule Charter set forth the qualifications for a person to be eligible for a public elective office (“Qualified Persons”). Qualified Persons may file as candidates for office by filing a sworn application in the Office of the City Secretary not earlier than January 17, 2024, and not later than 5:00 p.m. on February 16, 2024 (the “Filing Period”). Applications will be accepted in the Office of the City Secretary during regular business hours during the Filing Period in accordance with the Election Code; except for February 16, 2024, on which date applications will be accepted from 7:30 a.m. until 5:00 p.m.

**Section 4. Dates and Hours of Early Voting – Main Early Voting Location.** The Election Administrator, Frank Phillips, shall serve as the Early Voting Clerk. Deputy early voting judges/clerks will be appointed as needed to process early voting mail and to conduct early voting. Further, the Elections Administrator and/or the Early Voting Clerk are hereby authorized to appoint the members of the Early Voting Ballot Board and the presiding judge and alternate judge in accordance with the requirements of the Election Code.

The main early voting place is located at Denton County Elections Administration, 701 Kimberly Drive, Suite A111, Denton, Texas 76208 and voting shall occur as provided herein. Early Voting hours are:

Monday, April 22, 2024, through Saturday, April 27, 2024, from 8:00 a.m. to 5:00 p.m.;

Sunday, April 28, 2024, from 11:00 a.m. to 5:00 p.m.; and



Monday, April 29, 2024, through Tuesday April 30, 2024, from 7:00 a.m. to 7:00 p.m.

Early Voting at Corinth City Hall, 3300 Corinth Parkway, Corinth, Texas 76208 shall occur on the same dates and times listed herein. Early voting shall be conducted by the Early Voting Clerk, at the main early voting polling location listed above.

Early voting by mail shall be conducted in conformance with the requirements of the Election Code. Ballot applications, and ballots voted by mail, shall be sent to one of the following: Early Voting Clerk, Election Administration, Denton County, P.O. Box 1720, Denton, TX 76202, Fax 940-498-3201, or email to elections@dentoncounty.gov. The voting precincts for the Election shall be designated by their respective county precinct numbers.

Early voting by personal appearance shall be conducted at the times on the dates and at the locations designated herein and on **Exhibit "A"** hereto (**described below**) in accordance with this section. Early voting location and times may be changed, or additional early voting locations may be added by the Denton County Elections Administrator without further action of the City Council or amendment to this Ordinance, as is necessary for the proper conduct of the Election.

**Section 5. Governing Law and Qualified Voters.** The Election shall be held in accordance with the Constitution of the State of Texas and the Election Code, and all resident qualified voters of the City shall be eligible to vote at the election.

**Section 6. Publication and Posting of Notice of Election.** Notice of the election shall be given as required by the Election Code, and the Charter of the City of Corinth. Notice shall be provided by posting a notice containing a substantial copy of this Ordinance in both English and Spanish at Corinth City Hall on the bulletin board used for posting notices of the meetings of the City Council and by publication of such notice one time in a newspaper of general circulation published within the City; the date of the publication to be not earlier than the 30<sup>th</sup> day or later than the 10<sup>th</sup> day before the Election day. The notice shall contain information as provided by the Election Administrator regarding polling places and early voting and such other matters as required by law.

**Section 7. Denton County to Conduct Election / Election Contract.** The Election shall be conducted in accordance with the Election Code under the jurisdiction of the Denton County Elections Administrator (the "Election Administrator"), pursuant to an Election Services Contract between the City and Denton County, and other participating entities, if any, as described therein, (the "Contract"), a copy of which Contract shall be incorporated herein as **Exhibit "A"** upon its final approval and execution by the City. Voting shall be by electronic method.

The Mayor, the City Manager or designee, is authorized to amend or supplement any and all contracts for the administration of the Election and any Special Election, including without limitation the Election Services Contract, to the extent required for the Election to be conducted in an efficient and legal manner as determined by the Election Administrator and in accordance with the Election Code. In the event that no election is necessary, the City Secretary shall notify the County and shall present the City Council a Resolution or Ordinance cancelling the election.

**Section 8. Canvass of Election.** Pursuant to Section 67.002 of the Election Code, the City Council shall convene to conduct the local canvass at the time set by the canvassing authority's presiding officer not later than the 11th day after election day and not earlier than the later of: (1) the third day after election day; (2) the

date on which the early voting ballot board has verified and counted all provisional ballots, if a provisional ballot has been cast in the election; or (3) the date on which all timely received ballots cast from addresses outside of the United States are counted, if a ballot to be voted by mail in the election was provided to a person outside of the United States.

**Section 9. Necessary Actions.** The Mayor and the City Secretary of the City, in consultation with the City Attorney, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Election Code or other applicable law in carrying out and conducting the election, whether or not expressly authorized herein.

**Section 10. Severability.** If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance 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 Ordinance, and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

**Section 11. Effective Date.** This Ordinance shall be effective upon its adoption.

**PASSED AND APPROVED this \_\_\_ day of February 2024.**

**CITY OF CORINTH**

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

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

**EXHIBIT "A"**  
**JOINT ELECTION AGREEMENT**  
**BETWEEN THE CITY OF CORINTH, TEXAS AND DENTON COUNTY**

*Incorporated by Reference Upon Approval and Execution by the City of Corinth*

## THE STATE OF TEXAS COUNTY OF DENTON

### JOINT ELECTION AGREEMENT AND CONTRACT FOR ELECTION SERVICES

This CONTRACT for election services is made by and between the Denton County Elections Administrator and the following political subdivisions, herein referred to as “participating authority or participating authorities” located entirely or partially inside the boundaries of Denton County:

Participating Authorities:

[entities]

This contract is made pursuant to Texas Election Code Sections 31.092 and 271.002 and Texas Education Code Section 11.0581 for a joint May 4, 2024 election to be administered by Frank Phillips, Denton County Elections Administrator, hereinafter referred to as “Elections Administrator.”

#### **RECITALS**

Each participating authority listed above plans to hold a General or Special Election on May 4, 2024. Denton County plans to hold county-wide voting for this General Election.

The County owns the Hart InterCivic Verity Voting System, which has been duly approved by the Secretary of State pursuant to Texas Election Code Chapter 122 as amended, and is compliant with the accessibility requirements for persons with disabilities set forth by Texas Election Code Section 61.012. The contracting political subdivisions (participating authorities) desire to use the County’s voting system and to compensate the County for such use and to share in certain other expenses connected with joint elections, in accordance with the applicable provisions of Chapters 31 and 271 of the Texas Election Code, as amended.

NOW THEREFORE, in consideration of the mutual covenants, agreements, and benefits to all parties, IT IS AGREED as follows:

#### **I. ADMINISTRATION**

The participating authorities agree to hold a “Joint Election” with Denton County and each other in accordance with Chapter 271 of the Texas Election Code and this agreement. The Elections Administrator shall coordinate, supervise, and handle all aspects of administering the Joint Election as provided in this agreement. Each participating authority agrees to pay the Elections Administrator for equipment, supplies, services, and administrative costs as provided in this agreement. The Elections Administrator shall serve as the administrator for the Joint Election; however, each participating authority shall remain responsible for the decisions and actions of its officers necessary for the lawful conduct of its election. The Elections Administrator shall provide advisory services in connection with decisions to be made and actions to be taken by the officers of each participating authority as necessary.

It is understood that other political subdivisions may wish to participate in the use of the County's Verity voting system and polling places, and it is agreed that the Elections Administrator may enter into other contracts for election services for those purposes, on terms and conditions generally similar to those set forth in this contract. In such cases, costs shall be pro-rated among the participants according to Section XI of this contract.

## **II. LEGAL DOCUMENTS**

Each participating authority shall be responsible for the preparation, adoption, and publication of all required election orders, resolutions, notices, and any other pertinent documents required by the Texas Election Code and/or the participating authority's governing body, charter, or ordinances, except that the Elections Administrator shall be responsible for the preparation and publication of all voting equipment testing notices that are required by the Texas Election Code. Election orders should include language that would not necessitate amending the order if any of the Early Voting and/or Election Day polling places change.

Preparation of the necessary materials for notices and the official ballot shall be the responsibility of each participating authority, including translation to languages other than English. Each participating authority shall provide a copy of their respective election orders and notices to the Elections Administrator.

## **III. VOTING LOCATIONS**

The Elections Administrator shall select and arrange for the use of and payment for all Early Voting and Election Day voting locations. Voting locations will be, whenever possible, the usual voting location for each election precinct in elections conducted by each participating authority and shall be compliant with the accessibility requirements established by Election Code Section 43.034 and the Americans with Disabilities Act (ADA). The proposed voting locations are listed in Exhibit A of this agreement. In the event a voting location is not available or appropriate, the Elections Administrator will arrange for use of an alternate location. The Elections Administrator shall notify the participating authorities of any changes from the locations listed in Exhibit A.

## **IV. ELECTION JUDGES, CLERKS, AND OTHER ELECTION PERSONNEL**

Denton County shall be responsible for the appointment of the presiding judge and alternate judge for each polling location. The Elections Administrator shall make emergency appointments of election officials if necessary.

Upon request by the Elections Administrator, each participating authority agrees to assist in recruiting bilingual polling place officials (fluent in both English and Spanish). In compliance with the Federal Voting Rights Act of 1965, as amended, each polling place containing more than 5% Hispanic population as determined by the 2020 Census shall have one or more election officials who are fluent in both the English and Spanish languages. If a presiding judge is not bilingual, and is unable to appoint a bilingual clerk, the Elections Administrator may recommend a bilingual worker for the polling place. If the Elections Administrator is unable to recommend or recruit a bilingual worker, the participating authority or authorities served by that polling place shall be responsible for recruiting a bilingual worker for translation services at that polling place.

The Elections Administrator shall notify all election judges of the eligibility requirements of Subchapter C of Chapter 32 of the Texas Election Code, and will take the necessary steps to insure that all election judges appointed for the Joint Election are eligible to serve.

The Elections Administrator shall arrange for the training and compensation of all election judges and clerks. The Election judges and clerks who attend in-person voting equipment training and/or procedures training, shall be compensated at a flat rate of \$78. Election judges and clerks that elect to complete online training shall be compensated at a rate of a flat \$50. In the event that an Election judge or clerk completes both in-person and online training, they shall be compensated for the training resulting in the highest pay and will not be compensated for both trainings.

The Elections Administrator shall arrange for the date, time, and place for presiding election judges to pick up their election supplies. Each presiding election judge will be sent a letter from the Elections Administrator notifying them of their appointment, the dates/times and locations of training and distribution of election supplies, and the number of election clerks that the presiding judge may appoint.

Each election judge and clerk will receive compensation at the hourly rate established by Denton County pursuant to Texas Election Code Section 32.091 and overtime after 40 hours worked per week, if applicable. The election judge, or their designee, will receive an additional sum of \$25.00 for picking up the election supplies and equipment prior to Election Day and for returning the supplies and equipment to the central counting station after the polls close. Likewise, the Presiding Judge in Early Voting, or their designee, will receive an additional sum of \$25.00 for picking up the election supplies prior to the first day of Early Voting and for returning the supplies and equipment to the Elections Department after Early Voting has ended.

The compensation rates established by Denton County are:

Early Voting – Presiding Judge (\$15/hour), Alternate Judge (\$14/ hour), Clerk (\$13/ hour)

Election Day – Presiding Judge (\$15/hour), Alternate Judge (\$14/ hour), Clerk (\$13/ hour)

The Elections Administrator may employ other personnel necessary for the proper administration of the election, as well as, pre and post-election administration. In such cases, costs shall be pro-rated among participants of this contract. Personnel working in support of full-time staff will be expensed on a pro-rated basis and include a time period of one week prior to the election, during the election, and one week post-election. Personnel working in support of the Early Voting Ballot Board and/or central counting station on election night will be compensated at the hourly rate set by Denton County in accordance with Election Code Sections 87.005, 127.004, and 127.006.

If elections staff is required outside of the hours of the office's normal scope of business, the entity(ies) responsible for the hours will be billed for those hours. The Elections Administrator will determine when those hours are necessary, the number of staff and whom are necessary, along with to whom the hours are to be billed. Cost for these hours will be billed at a rate of 1.5 times the staff's hourly rate (See Sections XV #9). The Election Administrator has the right to waive these costs as they see fit.

## V. PREPARATION OF SUPPLIES AND VOTING EQUIPMENT

The Elections Administrator shall arrange for delivery of all election supplies and voting equipment including, but not limited to, the County's Verity voting system and equipment, official ballot paper, sample ballots, voter registration lists, and all forms, signs, maps and other materials used by the election judges at the voting locations. The Elections Administrator shall ensure availability of tables and chairs at each polling place and shall procure rented tables and chairs for those polling places that do not have tables and/or chairs. Any additional required materials (required by the Texas Election Code) must be provided by the participating authority, and delivered to the Elections Office thirty-three (33) calendar days (April 1, 2024) prior to Election Day. If this deadline is not met, the material must be delivered by the participating authority, to all Early Voting and Election Day locations affected, prior to voting commencing. The Elections Administrator shall be responsible for conducting all required testing of the voting equipment, as required by Chapters 127 and 129 of the Texas Election Code.

At each polling location, joint participants shall share voting equipment and supplies to the extent possible. The participating authorities shall share a mutual ballot in those precincts where jurisdictions overlap. Multiple ballot styles shall be available in those shared polling places where jurisdictions do not overlap. The Elections Administrator shall provide the necessary voter registration information, maps, instructions, and other information needed to enable the election judges in the voting locations that have more than one ballot style to conduct a proper election.

Each participating authority shall furnish the Elections Administrator a list of candidates and/or propositions showing the order and the exact manner in which the candidate names and/or proposition(s) are to appear on the official ballot (including titles and text in each language in which the authority's ballot is to be printed). **Said list must be provided to the Elections Office within three (3) business days following the last day to file for a place on the ballot** or after the election is ordered, whichever is later. The list of candidates and/or propositions must be completed on the ballot language form provided by the Elections Administrator, the information will preferably be in sentence case format, and must contain candidate contact information for the purposes of verifying the pronunciation of each candidate's name. Each participating authority shall be responsible for proofreading and approving the ballot insofar as it pertains to that authority's candidates and/or propositions. Each participating authority shall be responsible for proofing and approving the audio recording of the ballot insofar as it pertains to that authority's candidates and/or propositions. **The approval must be finalized with the Elections Office within five (5) calendar days of the receipt of the proofs, or the provided proofs shall be considered approved.**

The joint election ballots shall list the County's election first. The joint election ballots that contain ballot content for more than one joint participant because of overlapping territory shall be arranged with the Central Appraisal District, then the appropriate school district ballot content appearing on the ballot, followed by the appropriate city ballot content, and followed by the appropriate water district or special district ballot content.

Early Voting by personal appearance and on Election Day shall be conducted exclusively on Denton County's Verity voting system including provisional ballots.

The Elections Administrator shall be responsible for the preparation, testing, and delivery of the voting equipment for the election as required by the Election Code.

The Elections Administrator shall conduct criminal background checks on the relevant employees upon hiring as required by Election Code 129.051(g).

## **VI. EARLY VOTING**

The participating authorities agree to conduct joint early voting and to appoint the Election Administrator as the Early Voting Clerk in accordance with Sections 31.097 and 271.006 of the Texas Election Code. Each participating authority agrees to appoint the Elections Administrator's permanent county employees as deputy early voting clerks. The participating authorities further agree that the Elections Administrator may appoint other deputy early voting clerks to assist in the conduct of early voting as necessary, and that these additional deputy early voting clerks shall be compensated at an hourly rate set by Denton County pursuant to Section 83.052 of the Texas Election Code. Deputy early voting clerks who are permanent employees of the Denton County Elections Administrator or any participating authorities shall serve in that capacity without additional compensation.

Exhibit A of this document includes locations, dates, and times that voting will be held for Early Voting by personal appearance. Any qualified voter of the Joint Election may vote early by personal appearance at any one of the joint early voting locations. All requests for temporary branch polling places will be considered and determined based on the availability of facility and if it is within the Election Code parameters. All costs for temporary locations including coverage by Election Administration staff will be borne by the requesting authority. The Elections Administrator will determine when those hours are necessary, the number of staff and who are necessary, along with to whom the hours are to be billed. Cost for these hours will be billed at a rate of 1.5 times the staff's hourly rate (See Sections XV #10). The Election Administrator has the right to waive these costs as they see fit.

The standard dates and hours for the May 4, 2024 election will be as follows:

Monday, April 22, 2024 through Saturday, April 27, 2024; 8am – 5pm

Sunday, April 28, 2024; 11am-5pm

Monday, April 29, 2024 through Tuesday, April 30, 2024; 7am-7pm

As Early Voting Clerk, the Elections Administrator shall receive applications for early voting ballots to be voted by mail in accordance with Chapters 31 and 86 of the Texas Election Code. Any requests for early voting ballots to be voted by mail received by the participating authorities shall be forwarded immediately by fax or courier to the Elections Administrator for processing. The address of the Early Voting Clerk is as follows:

Frank Phillips, Early Voting Clerk  
Denton County Elections  
PO Box 1720  
Denton, TX 76202  
Email: elections@dentoncounty.gov



Any requests for early voting ballots to be voted by mail, and the subsequent actual voted ballots that are sent by a contract carrier (ie. UPS, FedEx, etc.) shall be delivered to the Early Voting Clerk at the Denton County Elections Department physical address as follows:

Frank Phillips, Early Voting Clerk  
 Denton County Elections  
 701 Kimberly Drive, Suite A100  
 Denton, TX 76208  
 Email: elections@dentoncounty.gov

The Elections Administrator shall post on the county website, the participating authority's Early Voting Roster on a daily basis. In accordance with Section 87.121 of the Election Code, the daily roster showing the previous day's early voting activity will be posted no later than 11:00 am each business day.

## **VII. EARLY VOTING BALLOT BOARD**

Denton County shall appoint the Presiding Judge of an Early Voting Ballot Board (EVBB) to process early voting results from the Joint Election. The Presiding Judge, with the assistance of the Elections Administrator, shall appoint an Alternate Judge and one or more additional members to constitute the EVBB. The Elections Administrator shall determine the number of EVBB members required to efficiently process the early voting ballots.

## **VIII. CENTRAL COUNTING STATION AND ELECTION RETURNS**

The Elections Administrator shall be responsible for establishing and operating the central counting station to receive and tabulate the voted ballots in accordance with the provisions of the Texas Election Code and of this agreement.

The participating authorities hereby, in accordance with Section 127.002, 127.003, and 127.005 of the Texas Election Code, appoint the following central counting station officials:

Counting Station Manager: Brandy Grimes, Deputy Elections Administrator  
 Tabulation Supervisor: Jason Slonaker, Technology Resources Coordinator  
 Presiding Judge: Early Voting Ballot Board Judge  
 Alternate Judge: Early Voting Ballot Board Alternate Judge

The counting station manager or their representative shall deliver timely cumulative reports of the election results as precincts report to the central counting station and are tabulated by posting on the Election Administrator's Election Night Results website. The manager shall be responsible for releasing unofficial cumulative totals and precinct returns from the election to the joint participants, candidates, press, and general public by distribution of hard copies at the central counting station (if requested) and by posting to the Election Administrator's Election Night Results website. To ensure the accuracy of reported election returns, results printed on the reports produced by Denton County's voting equipment will not be released to the participating authorities at the remote collection locations or from individual polling locations.

The Elections Administrator will prepare the unofficial canvass reports after all precincts have been counted and will deliver a copy of the unofficial canvass to each participating authority as soon as possible after all returns have been tabulated. The Elections Administrator will include the tabulation and precinct-by-precinct results that are required by Texas Election Code Section 67.004 for the participating authorities to conduct their respective canvasses. Each participating authority shall be responsible for the official canvass of its respective election(s), and shall notify the Elections Administrator, or their designee, of the date of the canvass, no later than three days after Election Day.

The Elections Administrator shall be responsible for conducting the post-election manual recount required by Section 127.201 of the Texas Election Code unless a waiver is granted by the Secretary of State. Notification and copies of the recount, if waiver is denied, will be provided to each participating authority and the Secretary of State's Office.

## **IX. PARTICIPATING AUTHORITIES WITH TERRITORY OUTSIDE DENTON COUNTY**

Each participating authority with territory containing population outside of Denton County agrees that they Elections Administrator shall administer only the Denton County portion of those elections. On a case-by-case basis, the Elections Administrator may consider administering an entities election for portions outside of Denton County.

## **X. RUNOFF ELECTIONS**

Each participating authority shall have the option of extending the terms of this agreement through its runoff election, if applicable. In the event of such runoff election, the terms of this agreement shall automatically extend unless the participating authority notifies the Elections Administrator in writing within three (3) business days of the original election.

Each participating authority shall reserve the right to reduce the number of early voting locations and/or Election Day voting locations in a runoff election.

Each participating authority eligible to hold runoff elections agrees that the date of the runoff election, if necessary, shall be determined by the Secretary of State, with early voting being held in accordance with the Election Code.

## **XI. ELECTION EXPENSES AND ALLOCATION OF COSTS**

The participating authorities agree to share the costs of administering the Joint Election.

Allocation of general expenses, which are not directly attributable to an individual polling location, will be expensed by each participating authority's percentage of registered voters of the total registered voters of all participating authorities.

Expenses for Early Voting by personal appearance shall be allocated based upon the actual costs associated with each early voting location. Each participating authority shall be responsible for an equal portion of the actual costs associated with the early voting locations within their jurisdiction. Participating authorities that do not have a polling location within their jurisdiction

shall pay an equal portion of the nearest polling location. If an entity requests an Early Voting location outside of their jurisdiction and the request is granted, the participating authority shall be responsible for an equal portion of the actual cost associated with the early voting location requested.

Election Day location expenses will be allocated based on each participating authority's percentage of registered voters assigned to each polling place.

In the event that participating authorities with overlapping boundaries cannot make an agreement on Early Voting and/or Election Day locations, the requesting participating authority agrees to bear the entire expense of the location.

Each participating authority requesting additional hours, outside of the standard hours, for a location or locations, agree to split the cost of the additional open hours equally amongst the requesting participating authorities.

Costs for Early Voting by mail, in-person ballots, provisional ballots, and Poll Pad paper shall be allocated according to the actual number of ballots issued to each participating authority's voters and the cost shared equally amongst participating authorities of each ballot style.

Each participating authority agrees to pay the Elections Administrator an administrative fee equal to ten percent (10%) of its total billable costs in accordance with Section 31.100(d) of the Texas Election Code.

The Denton County Elections Administrator shall deposit all funds payable under this contract into the appropriate fund(s) within the county treasury in accordance with Election Code Section 31.100.

The Denton County Elections Administrator reserves the right to adjust the above formulas in agreement with an individual jurisdiction if the above formula results in a cost allocation that is inequitable.

If any participating authority makes a special request for extra Temporary Branch Early Voting by Personal Appearance locations as provided by the Texas Election Code, that entity agrees to pay the entire cost for that request.

Participating authorities having the majority of their voters in another county, and fewer than 500 registered voters in Denton County, and that do not have an Election Day polling place or early voting location within their Denton County territory shall pay a flat fee of \$750 for election expenses.

Election expenses, including but not limited to, overtime charges for Election Office staff, and any unforeseen expenses needed to conduct the election, will be borne by the participating authority or authorities, affected.

The fee for programming each participating authority's election will be based on the number of races within their election. The fee schedule is as follows:

<b>Programming Fees</b>	
<b># of Races</b>	<b>DCEA fee</b>
1-5	\$750.00
6-10	\$1,265.00
11-20	\$1,650.00
21-40	\$2,090.00
41-75	\$2,640.00
76-100	\$3,135.00

## **XII. WITHDRAWAL FROM CONTRACT DUE TO CANCELLATION OF ELECTION**

Any participating authority may withdraw from this agreement and the Joint Election should it cancel its election in accordance with Sections 2.051 - 2.053 of the Texas Election Code. The withdrawing authority is fully liable for any expenses incurred by the Denton County Elections Administrator on behalf of the authority plus an administrative fee of ten percent (10%) of such expenses. Any monies deposited with the Elections Administrator by the withdrawing authority shall be refunded, minus the aforementioned expenses and administrative fees, if applicable.

It is agreed that any of the joint election early voting locations that are not within the boundaries of one or more of the remaining participating authorities, with the exception of the early voting location at the Denton County Elections Building, may be dropped from the joint election unless one or more of the remaining participating authorities agreed to fully fund such location(s). In the event that any early voting location is eliminated under this section, an addendum to the contract shall be provided to the remaining participants within five days after notification of all intents to withdraw have been received by the Elections Administrator.

## **XIII. RECORDS OF THE ELECTION**

The Elections Administrator is hereby appointed general custodian of the voted ballots and all records of the Joint Election as authorized by Section 271.010 of the Texas Election Code.

Access to the election records shall be available to each participating authority as well as to the public in accordance with applicable provisions of the Texas Election Code and the Texas Public Information Act. The election records shall be stored at the offices of the Elections Administrator or at an alternate facility used for storage of county records. The Elections Administrator shall ensure that the records are maintained in an orderly manner so that the records are clearly identifiable and retrievable.

Records of the election shall be retained and disposed of in accordance with the provisions of Section 66.058 of the Texas Election Code. If records of the election are involved in any pending election contest, investigation, litigation, or open records request, the Elections Administrator shall maintain the records until final resolution or until final judgment, whichever is applicable. It is the responsibility of each participating authority to bring to the attention of the Elections Administrator any notice of pending election contest, investigation, litigation or open records request which may be filed with the appropriate participating authority.

#### **XIV. RECOUNTS**

A recount may be obtained as provided by Title 13 of the Texas Election Code. By signing this document, the presiding officer of the contracting participating authorities agree that any recount shall take place at the office of the Elections Administrator, and that the Elections Administrator shall serve as Recount Supervisor, and the participating authority's official or employee who performs the duties of a secretary under the Texas Election Code shall serve as Recount Coordinator.

The Elections Administrator agrees to provide advisory services to each participating authority as necessary to conduct a proper recount.

#### **XV. MISCELLANEOUS PROVISIONS**

1. It is understood that to the extent space is available, other districts and political subdivisions may wish to participate in the use of the County's election equipment and voting places, and it is agreed that the Elections Administrator may contract with such other districts or political subdivisions for such purposes and that in such event there may be an adjustment of the pro-rata share to be paid to the County by the participating authorities.
2. The Elections Administrator shall file copies of this document with the Denton County Treasurer and the Denton County Auditor in accordance with Section 31.099 of the Texas Election Code.
3. Nothing in this contract prevents any party from taking appropriate legal action against any other party and/or other election personnel for a breach of this contract or a violation of the Texas Election Code.
4. This agreement shall be construed under and in accord with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Denton County, Texas.
5. In the event that one of more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision hereof and this agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.
6. All parties shall comply with all applicable laws, ordinances, and codes of the State of Texas, all local governments, and any other entities with local jurisdiction.
7. The waiver by any party of a breach of any provision of this agreement shall not operate as or be construed as a waiver of any subsequent breach.

- 8. Any amendments of this agreement shall be of no effect unless in writing and signed by all parties hereto.
- 9. Failure for a participating authority to meet the deadlines as outline in this contract may result in additional charges, including but not limited to, overtime charges, etc.

Elections Staffing Hourly Rate (includes all benefit pay):

Absentee Voting Coordinator	\$46.798
Voter Registration Clerk	\$34.157 - \$37.309
Technology Resources Coordinator	\$48.225
Elections Technician	\$31.655 - \$38.186
Voter Registration Coordinator	\$41.415
Training Coordinator	\$47.168
Election Coordinator	\$38.718

**XVI. COST ESTIMATES AND DEPOSIT OF FUNDS**

The total estimated obligation for each participating authority under the terms of this agreement is listed below. The exact amount of each participating authority’s obligation under the terms of this agreement shall be calculated after the May 4, 2024 election (or runoff election, if applicable). The participating authority’s obligation shall be paid to Denton County within 30 days after the receipt of the final invoice from the Denton County Elections Administrator.

The total estimated obligation for each participating authority under the terms of this agreement shall be provided within 45 days after the last deadline for ordering an election:

[costs]

v.0524

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## XVII. JOINT CONTRACT ACCEPTANCE AND APPROVAL

IN TESTIMONY HEREOF, this agreement has been executed on behalf of the parties hereto as follows, to-wit:

- (1) It has on the 25<sup>th</sup> day of January, 2024 been executed by the Denton County Elections Administrator pursuant to the Texas Election Code so authorizing;
- (2) It has on the \_\_\_\_\_ day of \_\_\_\_\_, 2024 been executed on behalf of the City of Corinth pursuant to an action of the Corinth City Council so authorizing;

ACCEPTED AND AGREED TO BY DENTON COUNTY ELECTIONS ADMINISTRATOR:

APPROVED:



Frank Phillips, CERA



## CITY OF CORINTH

### Staff Report

<b>Meeting Date:</b>	2/15/2024	<b>Title:</b>	Ordinance   Special Election – Senior Tax Freeze
<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 of the City of Corinth, Texas, calling for the purpose of submitting to the qualified voters of the City of Corinth, Texas, for the adoption or rejection, 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 and authorize the City Manager to execute the necessary documents to effectuate the intent of this Ordinance.

#### Item Summary/Background/Prior Action

The General Election for City Council Members is set forth by the Home Rule Charter and by the Texas Election Code and is required to be held on May 4, 2024 at which time the voters will elect to adopt or reject, 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.

On December 7, 2023, the City Secretary received a petition requesting the election to determine whether to establish a tax limitation on persons sixty-five (65) years of age or older who receive a homestead exemption on the property subject to the tax ceiling or limitation on the first available date that occurs on or after the 45<sup>th</sup> day after the petition is filed within the City. The petition was verified by Denton County on December 19, 2023.

#### Staff Recommendation/Motion

To approve the Ordinance calling a Special Election for the purpose of adopting or rejecting, 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.



**CITY OF CORINTH, TEXAS  
ORDINANCE NO. 24-02-15-xx**

**AN ORDINANCE OF THE CITY OF CORINTH, TEXAS, ORDERING A SPECIAL ELECTION ON MAY 4, 2024, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF CORINTH, TEXAS, FOR THE ADOPTION OR REJECTION, 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 THE DATE, TIME, AND LOCATION OF THE SPECIAL ELECTION; PROVIDING AN ELECTION NOTICE; PROVIDING BALLOT LANGUAGE; PROVIDING FOR THE ADMINISTRATION OF A GENERAL AND SPECIAL ELECTION; PROVIDING FOR EARLY VOTING; PROVIDING THE METHOD OF VOTING; PROVIDING GOVERNING LAW AND QUALIFIED VOTERS; REQUIRING POSTING OF NOTICE; PROVIDING FOR CANVASSING OF RETURNS AND NECESSARY ACTIONS; 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**, Article 8, Section 1-b(h) of the Texas Constitution authorizes registered voters in a city to file a petition seeking an election to establish a tax limitation to:

1. create a non-repealable and non-rescindable ceiling of limitation on the City's Ad Valorem tax levy of any homestead property of a person who is sixty-five (65) years of age or older who makes application for and receives a homestead exemption;
2. allow for increases on such homestead property to the extent the value of the homestead is increased by improvements other than repairs and other than improvements made to comply with governmental requirements and except as may be consistent with the transfer of a tax limitation under a law authorized by this subsection;
3. allow for the continuation of this limitation after the person's death while the homestead property remains the residence homestead of that person's surviving spouse if the spouse is fifty-five (55) years of age or older at the time of the person's death, subject to any exceptions provided by general law; and
4. allow for the transfer by qualified homestead owners of all or a proportionate amount of this tax limitation to a different residence homestead within the City if such transfer is provided for by the Legislature by general law at the time of the transfer; and

**WHEREAS**, pursuant to the Texas Constitution, on receipt of a petition signed by five percent (5%) of the registered voters of a city, the city's governing body shall then call an election to determine by majority vote whether to establish a tax limitation on the homesteads of persons sixty-five (65) years of age or older; and

**WHEREAS**, on December 7, 2023, the City Secretary received a petition requesting the election to determine whether to establish a tax limitation on persons sixty-five (65) years of age or older who receive a homestead exemption on the property subject to the tax ceiling or limitation on the first available date that occurs on or after the 45<sup>th</sup> day after the petition is filed within the City; and

**WHEREAS**, by the letter in Exhibit "A," attached hereto and incorporated herein, the Denton County Elections Administration verified the petition submitted to the City and determined the petition contained the requisite number of signatures of qualified voters; and

**WHEREAS**, Section 41.001 of the Texas Election Code, as amended, establishes May 4, 2024, as the "uniform election date" for the purposes of conducting a special election; and

**WHEREAS**, Section 3.005(c) of the Texas Election Code requires the City to order the election at least 78 days before the uniform election date; and

**WHEREAS**, Chapter 67 of the Texas Election Code requires the City Council to canvass election results as provided herein.

**NOW, THEREFORE, BE IT ORDERED 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 Ordinance as if fully set forth herein.

**Section 2. Order for Special Election.** The City Council hereby orders a special election for the purpose of submitting to the qualified voters, for the adoption or rejection, 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 on the property subject to the tax ceiling or limitation.

**Section 3. Special Election Called; Location, Date, and Time of Special Election.** The City Council hereby calls a special election with Denton County, Texas, as prescribed by Chapter 334 of the Texas Local Government Code and the Texas Election Code, and the election shall be held at the Corinth City Hall, 3300 Corinth Parkway, Corinth, Texas 76208, on the 4th day of May, 2024, from 7:00 a.m. until 7:00 p.m.

**Section 4. Election Notice.** Notice of the election shall be given as required by the Election Code, and the Charter of the City of Corinth. Notice shall be provided by posting a notice containing a substantial copy of this Ordinance in both English and Spanish at Corinth City Hall on the bulletin board used for posting notices of the meetings of the City Council and by publication of such notice one time in a newspaper of general circulation published within the City; the date of the

publication to be not earlier than the 30th day or later than the 10th day before the Election day. The notice shall contain information as provided by the Election Administrator regarding polling places and early voting and such other matters as required by law.

**Section 5. Ballot Language.** The ballot for the Proposition “A” shall have printed thereon to be expressed substantially as follows:

**CITY OF CORINTH, TEXAS  
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 6. Denton County to Conduct Joint Special Election; Approval of Election Contract.**

The election shall be conducted in accordance with the Election Code under the jurisdiction of the Denton County Elections Administrator (the “Election Administrator”), pursuant to an Election Services Contract between the City and Denton County, and other participating entities, if any, as described therein, (the “Election Services Contract”) upon its final approval through separate ordinance and execution by the City.

The Mayor, the City Manager or designee, is authorized to amend or supplement any and all contracts for the administration of the election, including without limitation the Election Services Contract, to the extent required for the election to be conducted in an efficient and legal manner as determined by the Election Administrator and in accordance with the Election Code

**Section 7. Early Voting.** The main early voting place is located at 701 Kimberly Drive, Suite A101, Denton, Texas 76208 and voting shall occur as provided herein. Early Voting hours are:

Monday, April 22, 2024, through Saturday, April 27, 2024, from 8:00 a.m. to 5:00 p.m.;

Sunday, April 28, 2024, from 11:00 a.m. to 5:00 p.m.; and

Monday, April 29, 2024, through Tuesday April 30, 2024, from 7:00 a.m. to 7:00 p.m.

Early Voting at Corinth City Hall, 3300 Corinth Parkway, Corinth, Texas 76208 shall occur on the same dates and times listed herein. Early voting shall be conducted by the Early Voting Clerk, at the main early voting polling location listed above.

Early voting by mail shall be conducted in conformance with the requirements of the Election Code. Ballot applications and ballots voted by mail shall be sent to: Early Voting Clerk, 701 Kimberly Drive, Suite A101, Denton, Texas 76208 (the official mailing address of the Early Voting Clerk). The voting precincts for the election shall be designated by their respective county precinct numbers.

Early voting by personal appearance shall be conducted at the times on the dates and at the locations designated herein and on Exhibit “B” hereto (described below) in accordance with this section. Early voting location and times may be changed, or additional early voting locations may be added by the Denton County Elections Administrator without further action of the City Council or amendment to this Resolution, as is necessary for the proper conduct of the Election.

**Section 8. Election Administrator; Early Voting Clerk.** The Election Administrator, Frank Phillips, shall serve as the Early Voting Clerk. Deputy early voting judges/clerks will be appointed as needed to process early voting mail and to conduct early voting. Further, the Elections Administrator and/or the Early Voting Clerk are hereby authorized to appoint the members of the Early Voting Ballot Board and the presiding judge and alternate judge in accordance with the requirements of the Election Code.

**Section 9. Method of Voting.** The Election Administrator is hereby authorized and instructed to provide and furnish all necessary election supplies to conduct the election. Voting at the election shall be by use of electronic system ballots. Preparation of the official ballots for the election shall conform to the requirements of the Texas Election Code, and in so doing shall permit the voter to vote “For” or “Against” the proposition.

**Section 10. Governing Law; Qualified Voters.** The election shall be held in accordance with the Constitution of the State of Texas and the Election Code, and all resident qualified voters of the City shall be eligible to vote at the election.

**Section 11. Publication and Posting of Notice of Election.** The City Secretary is hereby directed to cause notice of said election to be published at least once, not earlier than the 30th day nor later than the 10th day, before election day as provided in Section 4.003(a) (1) of the Texas Election Code; and shall be posted on the bulletin board used for posting notices of the City Council meetings not later than the 21st day before election day. A copy of the published notice that contains the name of the newspaper and the date of publication shall be retained as a record of such notice, and the person posting the notice shall make a record at the time of posting stating the date and place of posting in accordance with Texas Election Code Section 4.005.

**Section 12. Necessary Actions.** The Mayor and City Secretary in consultation with the City Attorney, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Local Government Code, the Election Code, and the City Charter in carrying out and conducting the election, whether or not expressly authorized herein.

**Section 13. Canvass of Election.** Pursuant to Section 67.002 of the Election Code, the City Council shall convene to conduct the local canvass at the time set by the canvassing authority's presiding officer not later than the 11th day after election day and not earlier than the later of: (1) the third day after election day; (2) the date on which the early voting ballot board has verified and counted all provisional ballots, if a provisional ballot has been cast in the election; or (3) the date on which all timely received ballots cast from addresses outside of the United States are counted, if a ballot to be voted by mail in the election was provided to a person outside of the United States.

**Section 14. Cumulative Repealer Clause.** This Ordinance shall be cumulative of all provisions of Ordinances of the City of Corinth, Texas, except where the provisions of this Ordinance are in

direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

**Section 15. Severability.** If any section, article, paragraph, sentence, clause, phrase or word in this Ordinance 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 Ordinance, and the City Council hereby declares it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

**Section 16. Effective Date.** This Ordinance shall be effective upon its passage.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS, ON THE \_\_\_\_ DAY OF \_\_\_\_\_, 2024.**

CITY OF CORINTH

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

ATTEST:

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

APPROVED AS TO FORM:

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

EXHIBIT "A"  
DENTON COUNTY VERIFICATION OF PETITION



**DENTON COUNTY  
ELECTIONS ADMINISTRATION**

FRANK PHILLIPS, CERA, REO  
Elections Administrator

BRANDY GRIMES, REO  
Deputy Elections Administrator

December 19, 2023

TO: Lana Wylie  
City Secretary, Corinth

FROM: Frank Phillips  
Elections Administrator

REF: Petition for the holding election for tax ceiling for 65 and older

On December 19, 2023, I received a 56-page petition from the City of Corinth regarding a proposed 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 reviewed the submitted names/signatures, checking the 1,250 names that appeared on the 56 pages. Of the 1,250 names submitted, 1,149 were verified as registered voters within the City of Corinth.

Sincerely,

Frank Phillips  
Elections Administrator

DENTON COUNTY ELECTIONS ADMINISTRATION / VOTER REGISTRATION  
P.O. BOX 1720 \* DENTON, TEXAS 76202 \* 940-349-3200 \* FAX 940-349-3201