



* * * * PUBLIC NOTICE * * * *

**NOTICE OF A FIRE CONTROL, PREVENTION & EMS DISTRICT
BOARD OF DIRECTORS
OF THE CITY OF CORINTH**

**Thursday, April 2, 2020, 6:45 P.M.
CITY HALL - 3300 CORINTH PARKWAY**

Pursuant to Section 551.127, Texas Government Code, one or more Councilmembers or employees may attend this meeting remotely using videoconferencing technology. The videoconferencing technology can be accessed at <http://meetings.cityofcorinth.com>.

The video and audio feed of the videoconferencing equipment can be viewed and heard by the public at the address posted above as the location of the meeting.

CALL TO ORDER, INVOCATION, PLEDGE OF ALLEGIANCE:

BUSINESS AGENDA

1. Consider and act on an Ordinance of the City Council of the City of Corinth, Texas and the Temporary Board of Directors of the Proposed City of Corinth Fire Control, Prevention and Emergency Medical Services District postponing the Joint Special Election until Tuesday, November 3, 2020.

CLOSED SESSION

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

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

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

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

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

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

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

ADJOURN

Posted this 27th day of March, 2020 at 11:30 a.m. on the bulletin board at Corinth City Hall.

Kimberly Pence, City Secretary
City of Corinth, Texas

BUSINESS ITEM 1.

Fire Control, Prevention & EMS District

Meeting Date: 04/02/2020
Title: May 2, 2020 Special Election Fire District Temp Board
Submitted For: Bob Hart, City Manager **Submitted By:** Kim Pence, City Secretary
Finance Review: Yes **Legal Review:** Yes
City Manager Review: Approval: Bob Hart, City Manager
Strategic Goals: Citizen Engagement & Proactive Government
Regional Cooperation

AGENDA ITEM

Consider and act on an Ordinance of the City Council of the City of Corinth, Texas and the Temporary Board of Directors of the Proposed City of Corinth Fire Control, Prevention and Emergency Medical Services District postponing the Joint Special Election until Tuesday, November 3, 2020.

AGENDA ITEM SUMMARY/BACKGROUND

The proposed ordinance would delay the election to appoint the city council as the fire district board until the November general election date.

RECOMMENDATION

Staff recommends approval of the proposed ordinance.

Attachments

Ordinance

ORDINANCE NO. 20-04-02-07

AN ORDER OF THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS, AND THE TEMPORARY BOARD OF DIRECTORS, ("TEMPORARY BOARD"), OF THE PROPOSED CITY OF CORINTH FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT, ("DISTRICT"), ORDERING THE JOINT ELECTION ORDER ORDERING A SPECIAL ELECTION TO BE HELD ON MAY 2, 2020, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE PROPOSED DISTRICT, COMPRISING THE CITY OF CORINTH, A BALLOT PROPOSITION SERVING AS A CONFIRMATION ELECTION ORDER FOR THE DISTRICT AND ADOPTING A SALES AND USE TAX FOR THE DISTRICT AT A RATE OF ONE-FOURTH OF ONE PERCENT, AND A BALLOT PROPOSITION TO DESIGNATE THAT THE CITY COUNCIL MAY, BY RESOLUTION, BE APPOINTED TO SERVE AS THE PERMANENT BOARD OF DIRECTORS OF THE DISTRICT, BE POSTPONED TO TUESDAY, NOVEMBER 3, 2020; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING FOR POSTPONEMENT OF THE JOINT SPECIAL ELECTION; PROVIDING FOR A CUMULATIVE CLAUSE; PROVIDING SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on or about March 13, 2020, the Governor of the State of Texas certified that the novel coronavirus (COVID-19) poses an imminent threat of disaster and, under the authority vested in the Governor by Section 418.014 of the Texas Government Code, declared a state of disaster in every county in the State of Texas; and

WHEREAS, on or about March 18, 2020, the Governor issued a Proclamation suspending certain sections of the Texas Election Code, among others, to allow political subdivisions of the State that would otherwise hold elections on May 2, 2020, to postpone general and special elections for 2020 only to the next uniform election date, November 3, 2020 without otherwise adjusting the election date; and

WHEREAS, on or about February 13, 2020, the City adopted Ordinance No. 20-02-13, which, in part, ordered a joint special election for the purpose of submitting to the qualified voters of the proposed District, comprising the City of Corinth, a ballot proposition serving as a confirmation election order for the District and adopting a sales and use tax for the District at a rate of one-fourth of one percent dedicated to fire control, prevention, and emergency medical services programs, and a ballot proposition to designate that the City Council may, by resolution, be appointed to serve as the permanent board of directors of the District, for Saturday, May 2, 2020; and

WHEREAS, on or about February 13, 2020, the Temporary Board of the District, as part of a duly conducted meeting, ordered a joint special election for the purpose of submitting to the qualified voters of the proposed District, comprising the City of Corinth, a ballot proposition serving as a confirmation election order for the District and adopting a sales and use tax for the District at a rate of one-fourth of one percent dedicated to fire control, prevention, and emergency medical services programs, and a ballot proposition

to designate that the City Council may, by resolution, be appointed to serve as the permanent board of directors of the District, for Saturday, May 2, 2020; and

WHEREAS, it is pursuant to the authority of the Governor's March 13, 2020, disaster declaration and the March 18, 2020, proclamation that this Ordinance is adopted; *i.e.*, to postpone the joint special election from Saturday, May 2, 2020, to Tuesday, November 3, 2020; and

WHEREAS, Ordinance No. 20-02-13 remains effective, but pursuant to this Ordinance, the special election date provided for in Ordinance No. 20-02-13 shall be postponed.

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

SECTION 1
INCORPORATION OF PREMISES

All of the above findings are hereby found to be true and correct and are hereby incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2
POSTPONEMENT OF SPECIAL ELECTION DATE

The special election scheduled for Saturday, May 2, 2020 for the purpose of submitting to the qualified voters of the proposed District, comprising the City of Corinth, a ballot proposition serving as a confirmation election order for the District and adopting a sales and use tax for the District at a rate of one-fourth of one percent dedicated to fire control, prevention, and emergency medical services programs, and a ballot proposition to designate that the City Council may, by resolution, be appointed to serve as the permanent board of directors of the District, is hereby postponed until Tuesday, November 3, 2020, pursuant to the authority referenced in the recitals to this Ordinance, and it is hereby so ordered.

SECTION 3
ADDITIONAL FINDINGS

Pursuant to Election Advisory No. 2020-12, issued by the Texas Secretary of State's Office on or about March 18, 2020, this Ordinance also makes the following findings, and incorporates them by reference into this Ordinance: (1) all applications for a ballot by mail for voters who are voting by mail due to being over the age of 65 or due to disability will remain valid for the postponed election whereas all applications for a ballot by mail based upon a voter's expected absence from the county will not be valid for the postponed election; and (2) the major relevant dates for the November 3,

2020, special election are as follows: deadline for registration to vote in the November 3, 2020, special election—October 5, 2020; the deadline to submit an application for a ballot by mail—October 23, 2020; and early voting—October 19, 2020, through October 30, 2020.

SECTION 4
CUMULATIVE 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 5
SEVERABILITY CLAUSE

It is hereby declared to be the intent of the City Council of the City of Corinth that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance, since the same would have been enacted by the City Council without incorporation of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 6
EFFECTIVE DATE

This Ordinance shall become effective from and after its passage.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF CORINTH, TEXAS, ON THE ___ DAY OF _____, 2020, AND BY THE TEMPORARY BOARD OF DIRECTORS OF THE CITY OF CORINTH FIRE CONTROL, PREVENTION, AND EMERGENCY MEDICAL SERVICES DISTRICT ON THIS THE ___ DAY OF _____, 2020.

CITY OF CORINTH

Bill Heidemann, Mayor

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

By:

ATTEST:

Kimberly Pence, City Secretary

APPROVED AS TO FORM:

Patricia Adams, City Attorney