**MINUTES**

**TOWN OF COPPER CANYON**

**SPECIAL TOWN COUNCIL MEETING**

**TUESDAY, NOVEMBER 17, 2020**

**6:00 p.m.**

The Town Council of the Town of Copper Canyon met in special session on Tuesday, November 17, 2020, at 6:00 p.m. in the Council Chambers at Copper Canyon Town Hall, 400 Woodland Drive, Copper Canyon, Texas, whereupon the following items were considered:

1. **CALL TO ORDER**

**Mayor Robertson** called the special meeting of the Copper Canyon Town Council to order at 6:00 p.m. on the 17th day of November 2020 in the Council Chambers at Copper Canyon Town Hall, 400 Woodland Drive, Copper Canyon, Texas, 75077.

**Council Present**

**Valerie Cannaday** Deputy Mayor Pro Tem

**Robin Douglas-Davis** Council Member

**Ted Stranczek** Council Member

**Staff Present**

**Donna Welsh** Town Administrator

**Sheila Morales** Town Secretary

A quorum of the Town Council was established.

**Mayor Robertson** and **Council Members** led meeting attendees in the Pledge of Allegiance to the U.S. and Texas Flags.

1. **PUBLIC INPUT**

Citizens can make comments to the Town Council during this section of the meeting agenda. We ask citizens who wish to speak on agenda items to sign in on the sheet provided on the table at the back of the Council Chambers. There is a 3-minute time limit for each speaker. Pursuant to State Open Meetings law, the Town Council cannot discuss or take action on items not posted on the Agenda.

No one spoke.

1. **ACTION & DISCUSSION ITEMS**
2. Discuss, consider and take action on Ordinance 20-012 canvassing and certifying the election returns, including the returns of early voting ballots cast in connection with the General Election held on November 3, 2020.

Mayor Robertson read the results of the November 3, 2020 Town Council Election as follows:

Candidate for Council – Place 1: Steve Hill, Total Votes Received: 766

Candidate for Council - Place 3: Rudy Castillo, Total Votes Received: 741

Candidate for Council – Place 5: Jeff Mayer, Total Votes Received: 618

Candidate for Council – Place 5: Bill Castleman, Total Votes Received: 274

Mayor Robertson declared the winners of the council seats to be:

* Steve Hill for Place 1
* Rudy Castillo for Place 3
* Jeff Mayer for Place 5

**Deputy Mayor Pro Tem Cannaday** made a motion to approve Ordinance 20-012 canvassing and certifying the election returns, including the returns of early voting ballots cast in connection with the General Election held on November 3, 2020.

**Council Member Stranczek** seconded the motion.

Ayes: **Deputy Mayor Pro Tem Cannaday, Council Members Douglas-Davis and Stranczek.**

Nays: None

**Mayor Ron Robertson** announced that the motion carried unanimously.

*In accordance with Texas Local Government Code, Section 22.073(b) Ordinance #20-012 is hereby engrossed and enrolled by copying the exact caption and the effective date clause into these official minutes as follows:*

**TOWN OF COPPER CANYON, TEXAS**

**ORDINANCE NO. 20-012**

**AN ORDINANCE OF THE TOWN OF COPPER CANYON, TEXAS, CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE GENERAL ELECTION HELD ON NOVEMBER 3, 2020, FOR THE PURPOSE OF ELECTING TOWN COUNCIL PLACE 1, PLACE 3 AND PLACE 5; PROVIDING FOR SAVINGS, REPEALING AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.**

**WHEREAS,** the Town Council of the Town of Copper Canyon, Texas (“Town Council”), duly authorized a General Election to be held within the Town of Copper Canyon, Texas (the “Town”), on November 3, 2020, for the purpose of electing Town Council Place 1, Place 3 and Plate 5; and

**WHEREAS**, the Denton County Elections Administrator that held said General Election has duly made the returns of the results thereof, and said returns have been duly delivered to this Town Council; and

**WHEREAS**, the Town Council finds and declares that the meeting at which this Ordinance is considered is open to the public as required by law, and that the public notice of the time, place and purpose of the meeting was given as required by Vernon’s Ann. Texas Government Code, Section 551.041, as amended; and

**WHEREAS**, the election results are heretofore attached as Exhibit “A,” and made a part of this Ordinance, lawfully submitted to the Town Council of the Town of Copper Canyon, Texas, and filed with the Town Secretary of said Town; and

**WHEREAS,** said General Election was duly and legally held in conformity with the election laws of the State of Texas, and the results of said election have been verified and returned by the proper judges and clerks.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF COPPER CANYON, TEXAS, THAT:**

**SECTION 1**

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

**SECTION 2**

The official canvass of the returns of the General Election reflects that the following named persons received the number of votes set opposite their names in the respective positions to be filled:

**TOWN COUNCIL, PLACE 1**

**Candidate Total Votes Received**

**Steve Hill 766**

**TOWN COUNCIL, PLACE 3**

**Candidate Total Votes Received**

**Rudy Castillo 741**

**TOWN COUNCIL, PLACE 5**

**Candidate Total Votes Received**

**Jeff Mayer 618**

**Bill Castleman 274**

The canvass of the returns of the General Election held on November 3, 2020, reflects that the following persons were duly elected to the respective positions are hereby declared duly elected as shown below to complete a two (2) year-term, subject to taking the Oath of Office as provided by the laws of the State of Texas.

**Town Council, Place 1 -** Steve Hill

**Town Council, Place 3 -** Rudy Castillo

**Town Council, Place 5 -** Jeff Mayer

**SECTION 4**

All provisions of any Ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed Ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the Ordinance. Any remaining portions of said Ordinances shall remain in full force and effect.

**SECTION 5**

Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Copper Canyon hereby declares that is would have passed this Ordinance, and each section, subsection, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional or invalid.

**SECTION 6**

This Ordinance shall be effective immediately upon its passage.

**DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF COPPER CANYON, TEXAS, ON THIS THE 17th OF NOVEMBER 2020.**

**APPROVED:**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Ron Robertson, Mayor**

**ATTEST:**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Sheila B. Morales, Town Secretary**

**APPROVED AS TO FORM:**

**\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Robert Hager, Town Attorney**

**EXHIBIT A**

**(Election Results)**

**Election Result Reports attached to these minutes.**

1. Discuss, consider and take action on Ordinance 20-013 canvassing and certifying the election returns, including the returns of early voting ballots cast in connection with the Special Election held on November 3, 2020.

**Mayor Robertson** read the results of the November 3, 2020 Special Election to be:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Proposition A: Continuation of the CCPD and Authorization of a Local Sales and Use Tax of 1%** | **Total Number of Absentee Votes** | **Total Number of Early Voting Votes** | **Total Number of Election Day Votes** | **Total Number of Votes Received** |
| **For** | **49** | **625** | **61** | **735** |
| **Against** | **9** | **154** | **30** | **193** |

**Mayor Robertson** declared that Proposition A passed.

**Deputy Mayor Pro Tem Cannaday** made a motion to approve Ordinance 20-013 canvassing and certifying the election returns, including the returns of early voting ballots cast in connection with the General Election held on November 3, 2020.

**Council Member Douglas-Davis** seconded the motion.

Ayes: **Deputy Mayor Pro Tem Cannaday, Council Members Douglas-Davis and Stranczek.**

Nays: None

**Mayor Ron Robertson** announced that the motion carried unanimously.

*In accordance with Texas Local Government Code, Section 22.073(b) Ordinance #20-013 is hereby engrossed and enrolled by copying the exact caption and the effective date clause into these official minutes as follows:*

TOWN OF COPPER CANYON, TEXAS

ORDINANCE NO. 20-013

**AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF COPPER CANYON, TEXAS, CANVASSING AND CERTIFYING THE ELECTION RETURNS, INCLUDING THE RETURNS OF EARLY VOTING BALLOTS, CAST IN CONNECTION WITH THE SPECIAL ELECTION HELD ON NOVEMBER 3, 2020, FOR THE PURPOSE OF CONSIDERING THE CONTINUATION AND ADOPTION OF ONE PERCENT SALES AND USE TAX FOR CRIME REDUCTION PROGRAMS FOR A TWENTY (20) YEAR PERIOD; MAKING FINDINGS; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.**

**WHEREAS,** the Town of Copper Canyon, Texas, is a Type A General Law Municipality located in Denton County, Texas, and operates pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, Section 41.001 of the Texas Election Code, as amended, specifies that Tuesday, November 3, 2020, shall be the general election date for the State of Texas and that a special election of a city or town may be held on such date; and

**WHEREAS**, on November 3, 2020, a special election was held in the Town of Copper Canyon, Texas, to consider the continuation and adoption of one percent sales and use tax for crime reduction programs for a twenty (20) year period; and

**WHEREAS,** the official returns, including returns of early voting ballots cast, of the presiding judges of the Special Election have been presented and delivered; and the Town Council acting in its capacity as the Canvassing Board has duly canvassed said returns in accordance with the law; and

**WHEREAS,** the returns of the Special Election, including the returns of the early voting ballots, duly and legally made, determined that the proposition to authorize the continuation and adoption of one percent sales and use tax for crime reduction programs for a twenty year period received the following votes:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Proposition A: Continuation of the CCPD and Authorization of a Local Sales and Use Tax of 1%** | **Total Number of Absentee Votes** | **Total Number of Early Voting Votes** | **Total Number of Election Day Votes** | **Total Number of Votes Received** |
| **For** | **49** | **625** | **61** | **735** |
| **Against** | **9** | **154** | **30** | **193** |

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF COPPER CANYON, TEXAS, THAT:

**SECTION 1**

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

**SECTION 2**

The Town Council officially finds and determines that a special election was duly ordered to be held in the Town of Copper Canyon, Texas, on the 3rd day of November, 2020, to authorize the continuation and adoption of one percent sales and use tax for crime reduction programs for a twenty (20) year period was duly approved.

**SECTION 3**

The Town Secretary of the Town of Copper Canyon is hereby authorized and directed to publish this Ordinance, or its caption in one (1) issue of the official Town newspaper, as required by Section 52.001 of the Texas Local Government Code.

SECTION 4

This Ordinance shall take effect from and after its date of passage in accordance with law, and it is so ordained.

**DULY PASSED, APPROVED AND ADOPTED by the Town Council of the Town of Copper Canyon, Texas, on this \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ day of NOVEMBER 2020.**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Ron Robertson, Mayor

**ATTEST:**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Sheila B. Morales, Town Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Robert Hager, Town Attorney

1. **OATHS OF OFFICE**

**Town Secretary Morales** administered the oaths of office to:

Council Member, Place Three – Rudy Castillo

Council Member, Place Five – Jeff Mayer

Council Member Hill (Place One) was not present at the meeting.

1. **ADJOURN**

**Council Member Stranczek** made a motion to adjourn.

**Council Member Douglas-Davis** seconded the motion.

Ayes: **Deputy Mayor Pro Tem Cannaday, Council Members Douglas-Davis and Stranczek.**

Nays: None

Meeting adjourned at 6:08 p.m.

**APPROVED BY THE TOWN COUNCIL THIS \_\_\_\_\_\_\_ DAY OF \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Ron Robertson, Mayor Sheila B. Morales, TRMC – Town Secretary

Town of Copper Canyon Town of Copper Canyon