

ORDINANCE NO. 2017-05-061

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, CERTIFYING THE ELECTION RESULTS FOR THE MAY 6, 2017 GENERAL ELECTION; DECLARING THE RESULTS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE

- WHEREAS**, pursuant to Ordinance No. 2017-02-018 of the City of McKinney, Texas, adopted on the 7th day of February, 2017, an election was duly held on the 6th day of May, 2017, for the purpose of voting on a Mayor, Council member At-large, Council member for District 1, and Council member for District 3; and
- WHEREAS**, said election was held with the solemnities and formalities necessary to make it a valid election, all notices having been posted in the manner and for the length of time required by law; and
- WHEREAS**, only duly qualified resident voters of the City of McKinney, Texas, voted at the General Election called and held on May 6, 2017; and
- WHEREAS**, section 67.003 of the Texas Election Code, as amended, generally provides that each local canvassing authority shall convene not later than the eleventh (11th) day after the May election date for the purpose of canvassing the election results; and
- WHEREAS**, section 67.004(a) of the Texas Election Code, as amended, establishes the quorum level required to canvass election results; and
- WHEREAS**, a quorum of the City Council met on Tuesday, May 16, 2017, and duly canvassed the election returns of the above mentioned election, hereby attached as ***Exhibit A***.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, 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. That the City Council officially finds and determines an election was duly ordered to be held in the City of McKinney, Texas, on the 6th day of May, 2017, for the purpose of electing a Mayor, Council Member At-Large, a Council Member for District 1, and a Council Member for District 3 to four (4) year terms of office, and that proper notice of said election was duly given; that proper election officers were duly appointed prior to said election; that said election has been made and delivered; and that the City Council has duly canvassed said returns all in accordance with law.
- Section 3. That the City Council officially finds and determines that only qualified resident voters of the City were allowed to vote at said election, and the following votes were cast at said election, and that the canvass of the votes cast in said election and returns thereof, which is attached hereto as Exhibit A, were made in accordance with the law.

George Fuller	6510	58.64%	Mayor
Danny Bishop	439	3.95%	
Randall (Randy) P. Pogue	4152	37.40%	

<div>Thomas “TJ” Reilly7748.12%Michael Jones171618.01%Kevin M. Smallwood3874.06%Derek V. Baker226023.72%Charlie Philips439246.09%</div>	<div>Council Member At Large</div>
<div>Johnny Moore20717.78%Dusttin Pearson49142.18%La’Shadion Shemwell46640.03%</div>	<div>Council member for District 1</div>
<div>Scott Elliott129740.67%Margaret Harsch79124.80%Gavin Nicholson1324.14%Jeremiah H. Hammer44313.89%Sheila Johnson52616.49%</div>	<div>Council Member for District 3</div>

Section 4. Pursuant to the applicable provisions of the Texas Local Government Code, Texas Election Code, and the City of McKinney, Texas, Home-Rule Charter, the City Council officially finds and determines and declares the results of said election to be that:

- (1) George Fuller is elected Mayor to a four (4) year term of office by majority vote of the voters.
- (2) A runoff election shall be ordered for the Council member At Large. The candidates for the runoff election shall be Charlie Philips and Derek V. Baker who received the highest and second highest number of votes at the May 6, 2017 general election.
- (3) A runoff election shall be ordered for the Council member District 1. The candidates for the runoff election shall be Dusttin Pearson and La’Shadion Anthony Shemwell who received the highest and second highest number of votes at the May 6, 2017 general election.
- (4) A runoff election shall be ordered for the Council member District 3. The candidates for the runoff election shall be Scott Elliott and Margaret Harsch who received the highest and second highest number of votes at the May 6, 2017 general election.

Section 5. It is hereby declared to be the intention of the City Council 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 and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation of this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 6. This Ordinance shall be effective immediately upon its passage.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THIS THE 16th DAY OF MAY, 2017.

CITY OF MCKINNEY, TEXAS

BRIAN LOUGHMILLER
Mayor

CORRECTLY ENROLLED:

Sandy Hart, TRMC, MMC
City Secretary
DENISE VICE, TRMC
Assistant City Secretary

DATE: _____

APPROVED AS TO FORM:

MARK S. HOUSER
City Attorney

Exhibit A

**STATE OF TEXAS § CANVASS OF THE
CITY OF MCKINNEY
ELECTION**

COUNTY OF COLLIN § MAY 6, 2017

I, Bruce Sherbet, the undersigned Elections Administrator of Collin County, do hereby certify that I have made an actual check and comparison of all the ballots tabulated as voted with the Return Sheets, and the unused ballots as recorded on the Register of Official Ballots. I, therefore, make the following report of my findings from the May 6, 2017, City of McKinney Election that was held in Collin County, Texas.

I hereby certify the results to be a full, true and correct tabulation, audit and count of the votes cast in the said election.

WITNESS, my hand on this the 12th day of May 2017.



Bruce Sherbet
Elections Administrator
Collin County

Election Summary Report
Collin County, Texas
General and Special Elections
May 6, 2017
Summary For Jurisdiction Wide, All Counters, McKinney City
Early Voting and Election Day Combined Accumulated Totals
44 of 44 Vote Centers Reporting

Date:05/11/17
Time:12:45:17
Page:1 of 1

Registered Voters 531652 - Cards Cast 11376 2.14%

Num. Report Precinct 214 - Num. Reporting 214 100.00%

McKinney Mayor	(190)	
Total		
Number of Precincts	38	
Precincts Reporting	38	100.0 %
Vote For	1	
Times Counted	11376/94044	12.1 %
Total Votes	11101	
Times Blank Voted	275	
Times Over Voted	0	
Number Of Under Votes	0	
George Fuller	6510	58.64%
Danny Bishop	439	3.95%
Randall P. Pogue	4152	37.40%

McKinney City Council at Large	(220)	
Total		
Number of Precincts	38	
Precincts Reporting	38	100.0 %
Vote For	1	
Times Counted	11376/94044	12.1 %
Total Votes	9529	
Times Blank Voted	1847	
Times Over Voted	0	
Number Of Under Votes	0	
Thomas "TJ" Reilly	774	8.12%
Michael Jones	1716	18.01%
Kevin M. Smallwood	387	4.06%
Derek V. Baker	2260	23.72%
Charlie Philips	4392	46.09%

McKinney City Council D1	(200)	
Total		
Number of Precincts	10	
Precincts Reporting	10	100.0 %
Vote For	1	
Times Counted	1335/14850	9.0 %
Total Votes	1164	
Times Blank Voted	171	
Times Over Voted	0	
Number Of Under Votes	0	
Johnny Moore	207	17.78%
Dusttin Pearson	491	42.18%
La'Shadian Shemwell	466	40.03%

McKinney City Council D3	(210)	
Total		
Number of Precincts	11	
Precincts Reporting	11	100.0 %
Vote For	1	
Times Counted	3559/24632	14.4 %
Total Votes	3189	
Times Blank Voted	370	
Times Over Voted	0	
Number Of Under Votes	0	
Scott Elliott	1297	40.67%
Margaret Harsch	791	24.80%
Gavin Nicholson	132	4.14%
Jeremiah J. Hammer	443	13.89%
Sheila Johnson	526	16.49%