

**ORDINANCE NO. 2017-05-062**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ORDERING A RUNOFF ELECTION FOR JUNE 10, 2017, FOR THE PURPOSE OF ELECTING ONE COUNCIL MEMBER DISTRICT 1, ONE COUNCIL MEMBER DISTRICT 3 AND ONE COUNCIL MEMBER AT-LARGE; DESIGNATING POLLING PLACES; APPOINTING THE EARLY VOTING CLERK; AND PROVIDING FOR NOTICE AND PUBLICATION OF THE ELECTION**

**WHEREAS,** the City Charter of the City of McKinney, Texas, as adopted on December 31, 1959, and amended on November 8, 1971, January 15, 1977, May 7, 1988, May 5, 2001, December 6, 2011, and May 10, 2014, requires that an election for Mayor, Council member At-Large, Council member for District 1, and Council member for District 3 be held; and,

**WHEREAS,** this Charter requires the Mayor and three Council members be elected for four (4) year terms, the Council members from District 1 and District 3 to be elected from the single-member Council Districts in which they reside by resident voters of those districts; and

**WHEREAS,** said election was held on May 6, 2017 with the solemnities and formalities necessary to make it a valid election, all notices having been published and posted in the manner and for the length of time required by law; and

**WHEREAS,** no candidate for Council member District 1, Council member District 3 or Council member At-Large received a majority of the votes; and

**WHEREAS,** Section 2.023 of the Texas Election Code provides that the runoff candidates for the office of Council member District 1, Council member District 3 and Council member At-Large shall be the candidates who received the highest and second highest number of votes; and

**WHEREAS,** Dusttin Pearson and La'Shadion Anthony Shemwell were the two candidates receiving the highest number of votes and second highest number of votes in the election for Council member District 1; and

**WHEREAS,** Scott Elliott and Margaret Harsch were the two candidates receiving the highest number of votes and second highest number of votes in the election for Council member District 3; and

**WHEREAS,** Charlie Philips and Derek V. Baker were the two candidates receiving the highest number of votes and second highest number of votes in the election for Council member At-Large; and

**WHEREAS,** Section 2.025 of the Texas Election Code requires the runoff election to be held twenty (20) to forty-five (45) days after the canvassing of election results.

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

Section 1.           A runoff election is hereby ordered to be held on Saturday, June 10, 2017, between the hours of 7:00 a.m. and 7:00 p.m. in accordance with the applicable provisions of the Texas Election Code, as amended, and Chapter III of the City Charter of McKinney, Texas, as amended May 10, 2014.

Section 2.           An election be held for the purpose of electing a Council member District 1, Council member District 3 and a Council member At-Large for a four-year term as prescribed by the City Charter.

- Section 3. The polling places are identified in Exhibit “A” attached hereto and incorporated herein by reference as a part hereof for all purposes. The election officers and maximum number of clerks for each polling place shall be determined and appointed in accordance with the provisions of an election services contract to be executed with the Collin County Elections Administrator.
- Section 4. The method of voting to be used in the runoff election on Saturday, June 10, 2017, be touch-screen devices with Premier Election Systems ACCUVOTE TS R7 v.4.6.4 direct recording devices (DRE's) for early voting and election day and optical-scan ballots with Premier Election Systems ACCUVOTE OS ROM v.2.0.12 for early voting by mail, in accordance with the Texas Election Code.
- Section 5. The Collin County Elections Administrator is hereby appointed Alternate Early Voting Clerk for the purpose of conducting early voting for the runoff election.
- Section 6. Early voting by personal appearance be conducted beginning Tuesday, May 30, 2017 and shall close on Tuesday, June 6, 2017. During the lawful early voting by personal appearance period (May 30, 2017, through June 6, 2017), Collin County Elections Administrator shall keep the designated early voting polling places open for early voting as follows:
- |                   |                        |
|-------------------|------------------------|
| Tuesday, May 30   | 8:00 a.m. to 5:00 p.m. |
| Wednesday, May 31 | 8:00 a.m. to 5:00 p.m. |
| Thursday, June 1  | 8:00 a.m. to 7:00 p.m. |
| Friday, June 2    | 8:00 a.m. to 5:00 p.m. |
| Saturday, June 3  | 8:00 a.m. to 5:00 p.m. |
| Monday, June 5    | 7:00 a.m. to 7:00 p.m. |
| Tuesday, June 6   | 7:00 a.m. to 7:00 p.m. |
- Section 7. The official canvass, by the City Council, will be held on June 19, 2017 in the Council Chambers.
- Section 8. This Ordinance shall be published at least one (1) time, not more than twenty-five (25) days nor less than ten (10) days before the election in the McKinney Courier Gazette.
- Section 9. A Notice of Election shall be posted in accordance with state law, including a notice on the bulletin board used for posting notices of the meetings of the City Council at least twenty-one (21) days before election day.
- Section 10. This Ordinance and all other related documents be printed in both English and Spanish in accordance with all legal requirements.

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

CITY OF MCKINNEY, TEXAS

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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

Early Voting Locations and Hours\*

Polling Place			Address			City
Collin County Election Office (Main Early Voting Location)			2010 Redbud Blvd., #102			McKinney
McKinney Performing Arts Center			111 N. Tennessee			McKinney
McKinney Fire Station #5			6600 W. Virginia Pkwy.			McKinney
Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
May 28	May 29 Memorial Day	May 30  8am – 5pm	May 31  8am – 5pm	June 1  8am - 7pm	June 2  8am - 5pm	June 3  8am - 5pm
June 4	June 5  7am – 7pm	June 6  7am – 7pm	June 7	June 8	June 9	June 10 7am – 7pm Election Day

\* City voters may vote at any of the additional Early Voting locations open under full contract services with the Collin County Elections Administration.

Election Day Polling Locations – City of McKinney\*  
June 10, 2017 – 7:00 a.m. to 7:00 p.m.

Precincts	Location	Address	City
“VOTE CENTERS”	John and Judy Gay Library	6861 W. Eldorado Pkwy.	McKinney
“VOTE CENTERS”	McKinney City Hall	222 N. Tennessee	McKinney
“VOTE CENTERS”	McKinney Fire Station #5	6600 W. Virginia Pkwy.	McKinney
“VOTE CENTERS”	Slaughter Elementary School	2706 Wolford Ave.	McKinney

\* City voters may vote at any of the additional Election Day Vote Centers open under full contract services with the Collin County Elections Administration.