

**ORDINANCE NO. 2015-05-0\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, CERTIFYING THE ELECTION RESULTS FOR THE MAY 9, 2015 GENERAL ELECTION; DECLARING THE RESULTS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, pursuant to Ordinance No. 2015-02-004 of the City of McKinney, Texas, adopted on the 3<sup>rd</sup> day of February, 2015, an election was duly held on the 9<sup>th</sup> day of May, 2015, for the purpose of voting on a Council member At-large, Council member for District 2, and Council member for District 4; 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 9, 2015; 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 (11<sup>th</sup>) 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 Monday, May 18, 2015, 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:**

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 9<sup>th</sup> day of May, 2015, for the purpose of electing a Council Member At-Large, a Council Member for District 2, and a Council Member for District 4 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 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.

Jeremiah Hammer	466	10.71%	<b>Council Member At-Large</b>
Tracy Rath	1894	43.52%	
Rodrick D. Robinson	544	12.50%	
Bill Campbell	1341	30.81%	
Peter Bailey	107	2.46%	

Rainey Rogers	657	50.73%	<b>Council Member for District 2</b>
Matt Hilton	638	49.27%	

David Joseph Weaver	20	1.15%	<b>Council Member for District 4</b>
Chuck Branch	661	38.16%	
Robert DeMarco	30	1.73%	
Steven Spainhouer	29	1.67%	
Ty Lake	218	12.59%	
Pablo Ruiz	393	22.69%	
Angie Bado	381	22.00%	

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) Rainey Rogers is elected Council member District 2 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 District 4. The candidates for the runoff election shall be Chuck Branch and Pablo Ruiz who received the highest and second highest number of votes at the May 9, 2015 general election.
- (3) A runoff election shall be ordered for the Council member At-Large position. The candidates for the runoff election shall be Tracy Rath and Bill Campbell who received the highest and second highest number of votes at the May 9, 2015 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 19<sup>th</sup> DAY OF MAY, 2015.**

CITY OF MCKINNEY, TEXAS

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BRIAN LOUGHMILLER  
Mayor

CORRECTLY ENROLLED:

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

DATE: \_\_\_\_\_

APPROVED AS TO FORM:

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MARK S. HOUSER  
City Attorney

**Exhibit A**

**STATE OF TEXAS**

**§**

**CANVASS OF THE  
CITY OF MCKINNEY  
JOINT GENERAL  
ELECTION**

**COUNTY OF COLLIN**


**§**

**May 9, 2015**

I, Sharon Rowe, 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 9, 2015, City of McKinney Joint General 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 15th day of May 2015.

  
Sharon Rowe  
Elections Administrator  
Collin County

Election Summary Report  
 Collin County, Texas  
 General and Special Elections  
 May 9, 2015

Date:05/15/15  
 Time:15:57:17  
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Summary For Jurisdiction Wide, All Counters, McKinney City  
 Early Voting and Election Day Combined Accumulated Totals 41 of 41 Vote Centers

Registered Voters 470039 - Cards Cast 4767 1.01%

Num. Report Precinct 204 - Num. Reporting 204 100.00%

McKinney City Council D2		(470)
	Total	
Number of Precincts	8	
Precincts Reporting	8	100.0 %
Vote For	1	
Times Counted	1435/22743	6.3 %
Total Votes	1295	
Times Blank Voted	140	
Times Over Voted	0	
Number Of Under Votes	0	
<b>Rainey Rogers</b>	657	50.73%
Matt Hilton	638	49.27%

McKinney City Council D4		(480)
	Total	
Number of Precincts	10	
Precincts Reporting	10	100.0 %
Vote For	1	
Times Counted	1788/24661	7.3 %
Total Votes	1732	
Times Blank Voted	56	
Times Over Voted	0	
Number Of Under Votes	0	
David Joseph Weaver	20	1.15%
<b>Chuck Branch</b>	661	38.16%
Robert DeMarco	30	1.73%
Steven Spainhouer	29	1.67%
Ty Lake	218	12.59%
Pablo Ruiz	393	22.69%
Angie Bado	381	22.00%

McKinney City Council at Large		(490)
	Total	
Number of Precincts	34	
Precincts Reporting	34	100.0 %
Vote For	1	
Times Counted	4767/82568	5.8 %
Total Votes	4352	
Times Blank Voted	415	
Times Over Voted	0	
Number Of Under Votes	0	
Jeremiah Hammer	466	10.71%
<b>Tracy Rath</b>	1894	43.52%
Rodrick D. Robinson	544	12.50%
Bill Campbell	1341	30.81%
Peter Bailey	107	2.46%