

**ORDINANCE NO. 2021-11-XXX**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, CALLING A SPECIAL ELECTION FOR JANUARY 15, 2022, TO FILL A VACANCY BY ELECTING A MEMBER FOR THE REMAINING PORTION OF THE UNEXPIRED TERM OF CITY COUNCIL MEMBER AT-LARGE #2; DESIGNATING POLLING PLACES; APPOINTING THE EARLY VOTING CLERK; AND PROVIDING FOR NOTICE AND PUBLICATION OF THE ELECTION**

**WHEREAS**, Art. XI, Sec. 11(c) of the Texas Constitution requires a special election to be called for the purpose of filling a vacancy of an elected official within one hundred and twenty (120) days after such vacancy occurs, if the elected official's original term of office was longer than two (2) years and the portion of the unexpired term is greater than twelve (12) months; and

**WHEREAS**, on October 15, 2021, Council member Frederick Frazier, who was serving a four-year term as Council member At-Large #2, announced his candidacy for another elective office, thereby automatically resigning his office by operation of law with more than twelve (12) months remaining in his term; and

**WHEREAS**, the City Council shall call a special election to fill the remaining portion of the unexpired term for Council member At-Large #2, to be held within 120 of October 15, 2021.

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

- Section 1. That a special election is hereby ordered to be held on Saturday, January 15, 2022, between the hours of 7:00 a.m. and 7:00 p.m. in accordance with the applicable provisions of the Texas Constitution, Texas Election Code, and Chapter III of the City Charter of McKinney, Texas as amended.
- Section 2. That an election be held for the purpose of filling the remaining portion of the unexpired four-year term for Council member At-Large #2 which four-year term expires in May 2023, as prescribed by applicable law.
- Section 3. That candidates may file for the Council member position beginning on November 3, 2021 and until 5:00 p.m. on November 12, 2021.
- Section 4. That 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 5. That the method of voting to be used in the general election on Election Day, Saturday, January 15, 2022, Early Voting in Person, Early Voting by Mail, and Provisional Voting, be the ExpressVote Universal Voting System, EVS 6.0.2.0 consisting of Electionware election management software, ExpressVote ballot marking device, ExpressTouch curbside voting device, DS200 precinct tabulator/scanner, DS450 high speed central scanner, and DS850 high speed central scanner, in accordance with the Texas Election Code.
- Section 6. That the Collin County Elections Administrator Bruce Sherbet is hereby appointed Early Voting Clerk for the purpose of conducting early voting for the special election.

Section 7. That all applications for an Early Voting mail ballot shall be received and processed by the Collin County Elections Administration Office, 2010 Redbud Blvd., Suite 102, McKinney, Texas 75069.

Section 8. That early voting by personal appearance be conducted beginning December 29, 2021 and shall close on January 11, 2022. During the lawful early voting by personal appearance period (December 29 through January 11, except December 31, 2021, January 1, 2022, January 2, 2022 and January 9, 2022), Collin County Elections Administrator shall keep the designated early voting polling places open for early voting as follows:

Wednesday, December 29 to  
Thursday, December 30 ..... 8:00 a.m. to 5:00 p.m.  
Friday, December 31 to Sunday, January 2.....no voting  
Monday, January 3 to Saturday, January 8 ..... 8:00 a.m. to 5:00 p.m.  
Sunday, January 9.....no voting  
Monday, January 10 to Tuesday, January 11 ..... 8:00 a.m. to 5:00 p.m.  
Wednesday, January 12 to Friday, January 14.....no voting

Section 9. That the official canvass, by the City Council, will be held in accordance with Election Code 67.003 between the third day and eleventh day after election day.

Section 10. That this Ordinance shall be published at least one (1) time, not more than thirty (30) days nor less than ten (10) days before the election in the McKinney Courier Gazette and Celina Record.

Section 11. That 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 12. That a copy of this Ordinance be delivered to the Collin County Clerk not later than the 60<sup>th</sup> day before election day.

Section 13. That 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 2ND DAY OF NOVEMBER 2021.**

CITY OF MCKINNEY, TEXAS

\_\_\_\_\_  
GEORGE C. FULLER  
Mayor

CORRECTLY ENROLLED:

\_\_\_\_\_  
EMPRESS DRANE  
City Secretary  
JOSHUA STEVENSON  
Deputy City Secretary

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

APPROVED AS TO FORM:

\_\_\_\_\_  
MARK S. HOUSER

**EXHIBIT A**

**JANUARY 15, 2022  
SPECIAL ELECTION  
ELECTION DAY AND EARLY VOTING  
LOCATIONS & HOURS**

<b>Polling Place</b>	<b>Address</b>	<b>City</b>
Collin County Election Office (Main Voting Location)	2010 Redbud Blvd., #102	McKinney
Library – John & Judy Gay Meeting Room	6861 W Eldorado Parkway	McKinney
McKinney Fire Station #5 Community Room	6600 Virginia Parkway	McKinney
McKinney Fire Station #9 Community Room	4900 Summit View Drive	McKinney
Old Settler’s Recreation Center North Lounge	1201 E Louisiana Street	McKinney

<b>Sunday</b>	<b>Monday</b>	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>	<b>Friday</b>	<b>Saturday</b>
<i>December 26</i>	<i>December 27</i>	<i>December 28</i>	<b><i>December 29</i></b> <b>8am – 5pm</b>	<b><i>December 30</i></b> <b>8am - 5pm</b>	<i>December 31</i>	<i>January 1</i>
<i>January 2</i>	<b><i>January 3</i></b> <b>8am – 5pm</b>	<b><i>January 4</i></b> <b>8am – 5pm</b>	<b><i>January 5</i></b> <b>8am – 5pm</b>	<b><i>January 6</i></b> <b>8am – 5pm</b>	<b><i>January 7</i></b> <b>8am – 5pm</b>	<b><i>January 8</i></b> <b>8am – 5pm</b>
<i>January 9</i>	<b><i>January 10</i></b> <b>8am – 5pm</b>	<b><i>January 11</i></b> <b>8am – 5pm</b>	<i>January 12</i>	<i>January 13</i>	<i>January 14</i>	<b><i>January 15</i></b> <b>7am – 7pm</b>