

ORDINANCE NO. 2019-05-032

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, CERTIFYING THE ELECTION RESULTS FOR THE MAY 4, 2019 GENERAL ELECTION; DECLARING THE RESULTS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, pursuant to Ordinance No. 2019-02-008 of the City of McKinney, Texas, adopted on the 5th day of February, 2019, an election was duly held on the 4th day of May, 2019, for the purpose of voting on a Council Member At-large, a Council Member of District 2, and a 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 4, 2019; 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 prescribed to canvass election results; and

WHEREAS, a quorum under section 67.004(a) of the City Council met on Wednesday, May 15, 2019, 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 4th day of May, 2019, 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 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.

Council Member At-Large	Frederick Frazier	3,293	52.34%
	Stephen Kallas	686	10.90%
	John Mott	2,313	36.76%

Council Member of District 2	Rainey Rogers	1,177	100.00%	(Unopposed)
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Council Member of District 4	Rick Franklin	1,568	85.48%
	Siotha Vest	333	17.52%

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) Frederick Frazier is elected Council Member At-Large to a four (4) year term of office by majority vote of the voters.
- (2) Rainey Rogers is re-elected Council Member of District 2 to a four (4) year term of office by majority vote of the voters.
- (3) Rick Franklin is elected Council Member of District 4 to a four (4) year term of office by majority vote of the voters.

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 15th DAY OF MAY, 2019.

CITY OF MCKINNEY, TEXAS

GEORGE C. FULLER
Mayor

CORRECTLY ENROLLED:

EMPRESS DRANE
City Secretary

DATE: _____

APPROVED AS TO FORM:

MARK S. HOUSER
City Attorney

Exhibit A