

ORDINANCE NO. 2020-11-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE SPECIAL ELECTION OF NOVEMBER 3, 2020, AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF; AND PROVIDING FOR AN EFFECTIVE DATE

**WHEREAS**, the City Council of the City of McKinney, Texas, by ordinance, submitted to the qualified voters of said City whether a member of the McKinney City Council shall be removed from or remain in office, in accordance with the City Charter of McKinney, Texas, Chapter XVIII; and

**WHEREAS**, the City Council of the City of McKinney, Texas, by ordinance, submitted to the qualified voters of said City whether the City of McKinney, through its City Council, shall be authorized to sell certain park property, being 55.234 acres of land located approximately 0.6 miles east of State Highway 5 on Harry McKillop Blvd. and 0.25 miles south on Couch Drive, in the F.T. Duffau Survey, Abstract No. 287, McKinney; and

**WHEREAS**, a special election was held on Tuesday, November 3, 2020, in accordance with the applicable provisions of the Texas Election Code, and the City Charter of McKinney, Texas, as amended; and

**WHEREAS**, it is hereby found and determined that notice of the election was duly given in the form, manner and time required by law, and said election was in all respects legally held and conducted in accordance with applicable laws of the State of Texas and the proceedings calling and governing the holding of such election; and

**WHEREAS**, the returns of said election have been duly and legally made and submitted to the City Council for canvassing, and a tabulation of the returns for each polling place and for early voting, as canvassed and tabulated by this governing body and shown in **Exhibit A** attached hereto, reflect that the total sum of votes counted "FOR" and "AGAINST" the proposition submitted were as follows:

CITY OF MCKINNEY, TEXAS, PROPOSITION A

Shall La'Shadien Shemwell be removed from the office of McKinney City Council Member (District 1) by recall?

CITY OF MCKINNEY, TEXAS, PROPOSITION B

Shall the City of McKinney, Texas be authorized to sell certain park property, being 55.234 acres of land located approximately 0.6 miles east of State Highway 5 on Harry McKillop Blvd. and 0.25 miles south on Couch Drive, in the F.T. Duffau Survey, Abstract No. 287, McKinney, Collin County, Texas?

**WHEREAS**, Section 67.003 of the Texas Election Code, as amended, generally provides that each local canvassing authority shall convene not later than the fourteenth day after the November election date (by November 17, 2020) 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**, the required number of members of the City Council met on [DAY], November [x], 2020, 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 3<sup>rd</sup> day of November, 2020, for the purpose of considering Propositions A and B, 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.
- Section 4.** effects of Proposition A
- Section 5.** effects of Proposition B
- Section 6. A copy of the caption of this Ordinance shall be published one time in the McKinney Courier Gazette and Celina Record newspapers, in accordance with applicable law.
- Section 7. This Ordinance shall be effective immediately upon passage and publication.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THIS THE [X]<sup>TH</sup> DAY OF NOVEMBER, 2020.**

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GEORGE C. FULLER  
Mayor

CORRECTLY ENROLLED:

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EMPRESS DRANE  
City Secretary  
JOSHUA STEVENSON  
Deputy City Secretary

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

APPROVED AS TO FORM:

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MARK HOUSER  
City Attorney

**EXHIBIT A**  
**CANVASS OF THE CITY OF MCKINNEY, TEXAS,**  
**ELECTION OF NOVEMBER 3, 2020**  
**AND SUMMARY OF ELECTION RESULTS**

**[SEE ATTACHED]**