



# CITY OF MCKINNEY, TEXAS

## Legislation Text

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**File #:** 19-0091, **Version:** 1

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Consider/Discuss/Act on an Ordinance Calling for the May 4, 2019 Special Charter Election

**COUNCIL GOAL:** Operational Excellence

**MEETING DATE:** February 5, 2019

**DEPARTMENT:** City Council

**CONTACT:** Mark Houser, City Attorney

**RECOMMENDED CITY COUNCIL ACTION:**

- Approve Ordinance for two Charter Amendment propositions to be included on the Special Election ballot on May 4, 2019
- A Spanish language translation of the approved ordinance will be posted and published in accordance with the prescribed Notice of Election schedule

**ITEM SUMMARY:**

- On December 18, the McKinney City Council considered the Charter Amendment propositions related to Recall Petitions and Recall Elections, to be included on the Special Election ballot on May 4, 2019.
- May 4, 2019 Election ballot propositions related to Charter Amendments will be:

**PROPOSITION NO. 1**

Shall Section 145 of the Charter be amended to read as follows:

**Sec. 145. - Recall petitions.**

The recall petition to be effective must be returned and filed with the City Secretary within forty-five (45) days after the filing of the affidavit required for initiative and referendum petitions, and it must be signed by qualified voters residing in any district, irrespective of the seat subject of the recall petition, of the City equal in number to at least thirty (30) percent of the total number of votes cast at the last regular municipal election; provided, however, that the petition shall contain the signatures of at least one thousand (1,000) of the qualified voters of the City and shall conform to the provisions of initiative and referendum petitions. No petition papers shall be accepted as part of

petition unless it bears the signature of the City Secretary as required in initiative and referendum petitions.

## PROPOSITION NO. 2

Shall Section 146 of the Charter be amended to read as follows:

### **Sec. 146. - Recall election.**

The City Secretary shall at once examine the recall petition and, if the City Secretary finds it sufficient and in compliance with the provisions of this Chapter of the Charter, the City Secretary shall within five (5) days or at the next regular City Council meeting, whichever is later, submit it to the City Council with its office's certificate to that effect and notify the officer sought to be recalled of such action.

If the officer whose removal is sought does not resign within five (5) days after such notice, the City Council shall thereupon order and fix a date for holding a citywide recall election according to State law.

- The Voting schedule and locations utilized for both Election Day and the Early Voting period will be established in the ordinance.

### **BACKGROUND INFORMATION:**

- The City Charter may be amended no more than once every two (2) years as provided by the laws of the State of Texas.
- The last Charter Election was held on May 10, 2014.

### **FINANCIAL SUMMARY:**

- The City's cost for this Election will be approximately \$30,000 including the contract with Collin County Elections Administrator to conduct the City Council General Election; translation services; production and distribution of a voter's information guide; advertisements and legal notices.
- Funding for this item is available and allocated in the General Fund/Non-Departmental budget 001-9999-403-8516.