

ORDINANCE NO. 2024-02-010

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ORDERING AN ELECTION TO BE HELD IN SAID CITY ON THE 4TH DAY OF MAY 2024, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF MCKINNEY, TEXAS, CERTAIN PROPOSED AMENDMENTS TO THE EXISTING CITY CHARTER; DESIGNATING THE PLACES AT WHICH SAID ELECTION IS TO BE HELD; APPOINTING THE EARLY VOTING CLERK; MAKING PROVIDING FOR NOTICE AND PUBLICATION OF THE ELECTION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Council of the City of McKinney, Texas (“City”) has, on its own motion, determined to submit to the qualified voters of said City for their adoption or rejection thereof certain proposed amendments to the existing Home Rule Charter of said City (“City Charter”), pursuant to the provisions of Section 9.004 of the Texas Local Government Code, and

WHEREAS, the meeting at which this Ordinance is considered is open to the public as required by law, and public notice of the time, place and purpose of said meeting was given as required by Section 551.043 of the Texas Government Code.

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

Section 1. That a special charter election is hereby ordered to be held on Saturday, May 4, 2024, between the hours of 7:00 a.m. and 7:00 p.m. in accordance with the applicable provisions of the Texas Election Code, and the City Charter of McKinney, Texas as amended.

Section 2. That an election be held for the purpose of submitting to the resident, qualified voters of the City of McKinney, Texas certain proposed amendments to the existing City Charter of the City of McKinney, Texas, as set forth in Section 3 of this Ordinance.

Section 3. Proposed Charter Amendments

That at the Election the following amendments to the City Charter shall be submitted to the resident, qualified voters of the City of McKinney, Texas:

PROPOSITION NO. 1

Shall the City Charter be amended throughout to correct non-substantive errors such as misspellings, punctuation, grammar, and sentence structure; conform notice and publication requirements to state law; and revise references to repealed or obsolete provisions of state law?

PROPOSITION NO. 2

Shall the City Charter be amended to delete provisions, practices and policies which are no longer employed by the City of McKinney?

PROPOSITION NO. 3

Shall Section 9 of the Charter be amended to read as follows:

“There shall be held in the City of McKinney on the uniform election date in May 2025, and every four (4) years thereafter, or on such date or dates as may be prescribed by the laws of the State of Texas, a City election for a Mayor, a Council Member-at-large 1, a Council Member representing District 1, and a Council Member representing District 3.

There shall be held in the City of McKinney on the uniform election date in May 2027, and every four (4) years thereafter, or on such other date or dates as may be prescribed by the laws of the State of Texas, a City election for a Council Member-at-large 2, a Council Member representing District 2, and a Council Member representing District 4.

Each person duly elected to the position of Mayor or Council Member shall perform the duties and discharge the obligations conferred and imposed upon them, respectively, by the law, this Charter and by the City Ordinances of McKinney and shall hold their office for a period of four (4) years and until their successors are elected and qualified. Beginning with the 2025 election, and every election thereafter, the Mayor shall be allowed to hold his/her seat for a limit of three (3) consecutive, full four-year terms, including three (3) terms consisting of a currently-held four-year term. Beginning with the 2025 election, and every election thereafter, each person duly elected to the position of Council Member shall be allowed to hold any at-large seat, including consecutive terms in two (2) separate at-large seats, for a limit of three (3) consecutive, full four-year terms, including three (3) terms consisting of a currently-held four-year term. Beginning with the 2025 election, and every election thereafter, each person duly elected to the position of Council Member shall be allowed to hold any district seat, including consecutive terms in two (2) separate district seats, for a limit of three (3) consecutive, full four-year terms, including three (3) terms consisting of a currently-held four-year term. After serving three (3) consecutive terms in an at-large or district seat(s), an at-large member shall not be eligible to serve in a district or at-large seat until the passage of one (1) year from the end of such three (3) consecutive terms; however, such member may serve as Mayor. After serving three (3) consecutive terms in an at-large or a district seat(s), a district member shall not be eligible to serve in an at-large or district seat, until the passage of one (1) year from the end of such three (3) consecutive terms; however, such member may serve as Mayor.”

Section 4. 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, May 4, 2024, 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., as amended, so as to permit the electors to vote “Yes” or “No” on each of the individual Propositions. Said ballots shall have such provisions, marking, and language as may be required by law, and a summary of the Propositions shall be set forth on said ballots in substantially the following form and language:

OFFICIAL BALLOT

PROPOSITION NO. 1

YES
NO

Shall the City Charter be amended throughout to correct non-substantive errors such as misspellings, punctuation, grammar and sentence structure and revise references to obsolete provisions of state law and conform notice and publication requirements to state law?

PROPOSITION NO. 2

YES
NO

Shall the City Charter be amended to delete provisions, practices and policies which are no longer employed by the City of McKinney?

PROPOSITION NO. 3

YES
NO

Shall Section 9 of the City Charter be amended to provide that city council members shall have term limits consisting of three (3) consecutive, four (4) year terms beginning with the 2025 election?

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 general election.

Section 7. That early voting by personal appearance be conducted beginning April 22, 2024 and shall close on April 30, 2024. During the lawful early voting by personal appearance period (April 22 through April 30, except *MONTH DAY(S)*, 2024), Collin County Elections Administrator shall keep the designated early voting polling places open for early voting as follows:

- Monday, April 22, 2024*enter voting hours*
- Tuesday, April 23, 2024 *enter voting hours or no voting*
- Wednesday, April 24, 2024..... *enter voting hours or no voting*
- Thursday, April 25, 2024 *enter voting hours or no voting*
- Friday, April 26, 2024..... *enter voting hours or no voting*
- Saturday, April 27, 2024 *enter voting hours or no voting*
- Sunday, April 28, 2024..... *enter voting hours or no voting*
- Monday, April 29, 2024 *enter voting hours or no voting*
- Tuesday, April 30, 2024*enter voting hours*

Section 8. That the official canvass, by the City Council, will be held on *MONTH DAY*, 2024 in Council Chambers, located at McKinney City Hall, 222 N. Tennessee Street, McKinney, Texas 75069.

Section 9. 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 newspapers.

Section 10. 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 11. That a copy of this Ordinance be delivered to the Collin County Clerk not later than the 60th day before election day.

Section 12. 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 6th DAY OF FEBRUARY 2024.

GEORGE C. FULLER, Mayor

City of McKinney, Texas

CORRECTLY ENROLLED:

EMPRESS DRANE, City Secretary
TENITRUS BETHEL, Deputy City Secretary

DATE: _____

APPROVED AS TO FORM:

MARK HOUSER, City Attorney

EXHIBIT A

EARLY VOTING LOCATIONS:

Polling Place	Address	City
Collin County Election Office (Main Early Voting Location)	2010 Redbud Blvd. Ste. #102	McKinney
Children’s Health StarCenter	6993 Stars Avenue	McKinney
Library – John & Judy Gay Meeting Room	6861 W Eldorado Parkway	McKinney
Library – Roy & Helen Hall Memorial Lobby	101 E Hunt Street	McKinney
McKinney Fire Station #5 Community Room	6600 Virginia Parkway	McKinney
McKinney Fire Station #7 Community Room	861 Independence Parkway	McKinney
McKinney Fire Station #9 Community Room	4900 Summit View	McKinney
McKinney Fire Station #10 Community Room	1150 Olympic Crossing	McKinney
Old Settler’s Recreation Center North Multi-Purpose Room	1201 E. Louisiana Street	McKinney
Senior Recreation Center Meeting Room	1400 S College Street	

*City voters may vote at any of the additional Early Voting locations open under full contract services with the Collin County Elections Administration.

ELECTION DAY VOTING LOCATIONS:

Precincts	Location	Address	City
“VOTE CENTER”	Collin County Elections Office	2010 Redbud Blvd. Ste. #102	McKinney
“VOTE CENTER”	Children’s Health StarCenter	6993 Stars Avenue	McKinney
“VOTE CENTER”	Library – John & Judy Gay Meeting Room	6861 W Eldorado Parkway	McKinney
“VOTE CENTER”	Library – Roy & Helen Hall Memorial Lobby	101 E Hunt Street	McKinney
“VOTE CENTER”	McKinney Fire Station #5 Community Room	6600 Virginia Parkway	McKinney
“VOTE CENTER”	McKinney Fire Station #7 Community Room	861 Independence Parkway	McKinney
“VOTE CENTER”	McKinney Fire Station #9 Community Room	4900 Summit View	McKinney
“VOTE CENTER”	McKinney Fire Station #10 Community Room	1150 Olympic Crossing	McKinney
“VOTE CENTER”	Old Settler’s Recreation Center North Multi-Purpose Room	1201 E. Louisiana Street	McKinney
“VOTE CENTER”	Senior Recreation Center Meeting Room	1400 S College Street	McKinney

*City voters may vote at any of the additional Election Day Vote Centers open under full contract services with the Collin County Elections Administration.