

ORDINANCE NO. 2019-05-XXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, CERTIFYING THE ELECTION RESULTS OF THE MAY 1, 2021 GENERAL ELECTION FOR CITY MAYOR, CITY COUNCIL DISTRICT 1 MEMBER, CITY COUNCIL DISTRICT 3 MEMBER, AND CITY COUNCIL AT-LARGE MEMBER; DECLARING THE RESULTS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE

**WHEREAS**, pursuant to Ordinance No. 2021-02-014 of the City of McKinney, Texas, adopted on February 2, 2021, an election was duly held on May 1, 2021, for the purpose of voting on a City Mayor, Council Member At-large, Council Member of District 1, and Council Member of District 3; 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 1, 2021; 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 (11<sup>th</sup>) 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 May 10, 2021, 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 1st day of May, 2021, for the purpose of electing a City Mayor, Council Member At-Large, Council Member for District 1, and a Council Member for District 3, 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.

City Mayor	George Fuller	XXX	X.XX%
	Tom Meredith	XXX	X.XX%
	Jimmy R. Stewart	XXX	X.XX%
Council Member At-Large	Charlie Philips	XXX	X.XX%
	Brian J. Magnuson	XXX	X.XX%

<b>Council Member of District 1</b>	Justin Beller	XXX	X.XX%
	Stann Penn	XXX	X.XX%
	Cris Treviño	XXX	X.XX%
	Johnny Moore	XXX	X.XX%
<b>Council Member of District 3</b>	<b>Gere' Feltus</b>	<b>XXX</b>	<b>X.XX%</b>
	Vicente Torres	XXX	X.XX%

Section 4. No candidate for City Council District 1 received more than 50% of votes cast; therefore, the City Council will order a runoff election for the candidates receiving the first- and second-most votes, in accordance with Texas Election Code, Chapter 2, Subchapter B.

Section 5. 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) George Fuller is elected City Mayor to a four (4) year term of office by majority vote of the voters.
- (2) Gere' Feltus is elected Council Member of District 3 to a four (4) year term of office by majority vote of the voters.
- (3) Charlie Philips is elected Council Member At Large 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 10th DAY OF MAY, 2021.**

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***