

ORDINANCE NO. 2021-05-0__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ORDERING A RUNOFF ELECTION FOR JUNE 5, 2021, FOR THE PURPOSE OF ELECTING A COUNCIL MEMBER FOR DISTRICT 1; DESIGNATING POLLING PLACES; APPOINTING THE EARLY VOTING CLERK; AND PROVIDING FOR NOTICE AND PUBLICATION OF THE ELECTION

WHEREAS, the City Charter of the City of McKinney, Texas, as adopted on December 31, 1959, and amended on November 8, 1971, January 15, 1977, May 7, 1988, May 5, 2001, December 6, 2011, May 10, 2014, and May 4, 2019, requires that an election for Council member for District 1 be held; and,

WHEREAS, the McKinney City Charter requires the Council member from District 1 to be elected for a four (4) year term from the single-member Council district in which he or she resides, by the resident voters of said district; and

WHEREAS, a general election was held on May 1, 2021 with the solemnities and formalities necessary to make it a valid election, all notices having been published and posted in the manner and for the length of time required by law; and

WHEREAS, no candidate for Council member District 1 received a majority of the votes; and

WHEREAS, Section 2.023 of the Texas Election Code provides that the runoff candidates for the office of Council member District 1 shall be the candidates who received the highest and second highest number of votes; and

WHEREAS, Justin Beller and Stan Penn were the two candidates receiving the highest number of votes and second highest number of votes in the election for Council member District 1; and

WHEREAS, Section 2.025 of the Texas Election Code requires the runoff election to be held twenty (20) to forty-five (45) days after the canvassing of election results.

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

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| Section 1. | A runoff election is hereby ordered to be held on Saturday, June 5, 2021, between the hours of 7:00 a.m. and 7:00 p.m. in accordance with the applicable provisions of the Texas Election Code, as amended, and Chapter III of the City Charter of McKinney, Texas, as amended May 4, 2019. |
| Section 2. | An election shall be held for the purpose of electing a Council member to District 1 for a four-year term, as prescribed by the McKinney City Charter. |
| Section 3. | 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 4. | The method of voting to be used in the runoff election on Election Day, Saturday, June 5, 2021, 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.

Section 5. The Collin County Elections Administrator Bruce Sherbet is hereby appointed Early Voting Clerk for the purpose of conducting early voting for the runoff election.

Section 6. Early voting by personal appearance shall be conducted beginning Monday, May 24, 2021 and shall close on Tuesday, June 1, 2021. During the lawful early voting by personal appearance period (May 24 through June 1, except May 30 and May 31), Collin County Elections Administrator shall keep the designated early voting polling places open for early voting as follows:

Monday, May 24, 2021	8:00 a.m. until 5:00 p.m.
Tuesday, May 25, 2021	8:00 a.m. until 5:00 p.m.
Wednesday, May 26, 2021	8:00 a.m. until 5:00 p.m.
Thursday, May 27, 2021	8:00 a.m. until 5:00 p.m.
Friday, May 28, 2021	7:00 a.m. until 7:00 p.m.
Saturday, May 29, 2021	8:00 a.m. until 5:00 p.m.
Sunday, May 30, 2021	no voting
Monday, May 31, 2021	no voting
Tuesday, June 1, 2021	7:00 a.m. until 7:00 p.m.
Wednesday, June 2, 2021	no voting
Thursday, June 3, 2021	no voting
Friday, June 4, 2021	no voting

Section 7. The official canvass, by the City Council, shall be held not earlier than Tuesday, June 8, 2021 and not later than Wednesday, June 16, 2021 (time to be determined). Notice of canvass will be posted at least 72 hours prior to the canvassing, in accordance with Texas Government Code.

Section 8. This Ordinance shall be published at least one (1) time, not more than twenty-five (25) days nor less than ten (10) days before the election in the McKinney Courier Gazette.

Section 9. 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 10. This Ordinance and all other related documents shall 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 MAY, 2021.

CITY OF MCKINNEY, TEXAS

GEORGE C. FULLER
Mayor

CORRECTLY ENROLLED:

EMPRESS DRANE
City Secretary
JOSHUA STEVENSON
Deputy City Secretary

DATE: _____

APPROVED AS TO FORM:

MARK S. HOUSER
City Attorney

EXHIBIT A

JUNE 5, 2021
RUNOFF ELECTION
ELECTION DAY AND EARLY VOTING
LOCATIONS & HOURS

Polling Place	Address	City
Collin County Election Office – Voting Room (Main Voting Location)	2010 Redbud Blvd., #102	McKinney
Collin College Higher Education Center – Atrium	3452 Spur 399	McKinney
McKinney High School – PAC Lobby	1400 E. Wilson Creek Pkwy.	McKinney
Roy & Helen Hall Memorial Library – Dulaney Room	101 E. Hunt St.	McKinney
Scott Johnson Middle School – Library Room A112	3400 Community Ave.	McKinney
Webb Elementary School – Room G105	810 E. Louisiana St.	McKinney

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
May 23	May 24	May 25	May 26	May 27	May 28	May 29
No Voting	8 am - 5 pm	8am - 5pm	8am - 5pm	8am - 5pm	7am - 7pm	8am - 5pm
May 30	May 31 Memorial Day No Voting	June 1	June 2	June 3	June 4	June 5 Election Day 7am - 7pm
No Voting		7am - 7pm	No Voting	No Voting	No Voting	

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

A complete list of all voting locations will be posted on the Collin County Elections webpage.