



## CITY OF ALLEN

**AGENDA  
ALLEN CITY COUNCIL  
SPECIAL CALLED MEETING TO CANVASS ELECTION  
MAY 15, 2018 – 2:00 P.M.  
COUNCIL CHAMBERS  
ALLEN CITY HALL  
305 CENTURY PARKWAY  
ALLEN, TEXAS 75013**

**Call to Order and Announce a Quorum is Present.**

**Pledge of Allegiance.**

**Consider All Matters Incident and Related to the General Election Held on May 5, 2018.**

1. Canvass of Election Returns.
2. Adopt a Resolution Declaring the Results of the General Election for City Councilmembers for Place Nos. 1, 3 and 5.
3. Adopt a Resolution Ordering a Runoff Election to be held on June 16, 2018, for the Purpose of Electing the Councilmember for Place 3.

**Adjournment.**

*– open to the public –*

This notice was posted at Allen City Hall, 305 Century Parkway, Allen, Texas, at a place convenient and readily accessible to the public at all times. Said notice was posted on Friday, May 11, 2018, at 5:00 p.m.

---

Shelley B. George, City Secretary

Allen City Hall is wheelchair accessible. Access to the building and special parking are available at the entrance facing Century Parkway. Requests for sign interpreters or special services must be received forty-eight (48) hours prior to the meeting time by calling the City Secretary at 214-509-4105.

## CITY COUNCIL AGENDA COMMUNICATION

**AGENDA DATE:** May 15, 2018

**SUBJECT:** Consider All Matters Incident and Related to the Canvassing of Returns and Approve a Resolution Declaring the Results of the May 5, 2018, General Election

**STAFF RESOURCE:** Shelley B. George, City Secretary

**PREVIOUS COUNCIL ACTION:** Adopted Resolution No. 3548-2-18(R) ordering the General Election

**ACTION PROPOSED:** Canvass of Election Returns / Adoption of Resolution Declaring the Results of the General Election

### **BACKGROUND**

Section 7.08 of the Allen City Charter states:

*“Returns of all municipal elections, both general and special, shall be made in accordance with the Texas Election Code, at which time the council shall canvass the votes, declare the results of such election, with notification of election to the candidate elected.”*

and Section 67.003 of the Texas Election Code states:

*“Each local canvassing authority shall convene to conduct the local canvass at the time set by the canvassing authority's presiding officer not earlier than the eighth day or later than the 11th day after Election Day.”*

The Early Voting Ballot Board reconvened to count returned military overseas ballots (FPCA - Federal Post Card Application) and provisional ballots. There were three provisional ballots cast in the City of Allen General Election with two of those counted.

### **STAFF RECOMMENDATION**

Staff recommends that Council conduct the canvass and considers the proposed resolution declaring the results of the May 5, 2018, General Election in accordance with State Law and the Allen City Charter.

### **MOTION**

*I make a motion to adopt Resolution No. \_\_\_\_\_ declaring the results of the May 5, 2018, General Election.*

**ATTACHMENT:** Proposed Resolution

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, DECLARING THE RESULTS OF THE GENERAL ELECTION OF THE CITY OF ALLEN HELD MAY 5, 2018, FOR THE PURPOSE OF ELECTING THE CITY COUNCILMEMBERS FOR PLACE NOS. 1, 3 AND 5; AND PROVIDING AN EFFECTIVE DATE.**

**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**, it is imperative to consider the returns of the election held on May 5, 2018, for the purpose of electing the hereinafter named officials; 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 the polling place and for early voting, as canvassed and tabulated by this governing body as follows:

	<b>EARLY VOTES CAST</b>	<b>REGULAR VOTES CAST</b>	<b>TOTAL VOTES CAST</b>
<b>COUNCILMEMBER PLACE NO. 1</b>			
Kurt Kizer	1,416	768	2,184
<b>COUNCILMEMBER PLACE NO. 3</b>			
Lauren Doherty	735	583	1,318
Shirley Mangrum	672	319	991
Luke Hollingsworth	599	289	888
<b>COUNCILMEMBER PLACE NO. 5</b>			
Gary Caplinger	1,405	763	2,168

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, THAT:**

**SECTION 1.** Said election was duly called, that notice of said election was given in accordance with law, and that said election was held in accordance with law, and that Kurt Kizer was duly elected Councilmember Place No. 1 and Gary Caplinger was duly elected Councilmember Place No. 5. Above named parties are hereby declared duly elected Councilmembers for Place Nos. 1 and 5, subject to the taking of the oath-of-office as provided by the laws of the State of Texas. It appearing that no one candidate received a majority of all votes cast for the office of Councilmember for Place No. 3, it is hereby declared a runoff election is to be held on June 16, 2018, for the two candidates who received the highest and second highest number of votes.

**SECTION 2.** It is further found and determined that in accordance with the order of this governing body, the City Secretary posted written notice of the date, place and subject of this meeting on the bulletin board located in the City Hall, a place convenient and readily accessible to the general public, and said notice having been so posted and remaining posted continuously for at least 72 hours preceding the scheduled time of said meeting.

**SECTION 3.** This resolution shall become effective immediately from and after its passage.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ON THIS THE 15<sup>TH</sup> DAY OF MAY 2018.**

**APPROVED:**

---

**Stephen Terrell, MAYOR**

**ATTEST:**

---

**Shelley B. George, CITY SECRETARY**

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ORDERING A RUNOFF ELECTION TO BE HELD ON JUNE 16, 2018, FOR THE PURPOSE OF ELECTING THE CITY COUNCILMEMBER FOR PLACE NO. 3; DESIGNATING LOCATION OF POLLING PLACE; ORDERING NOTICES OF ELECTION TO BE GIVEN AS PRESCRIBED BY LAW IN CONNECTION WITH SUCH ELECTION; AND PROVIDING AN EFFECTIVE DATE.**

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, THAT:**

**SECTION 1.** A Runoff Election is hereby ordered for June 16, 2018, for the purpose of electing the City Councilmember for Place No. 3. City Councilmember for Place No. 3 shall be elected to hold office for a period of three years.

**SECTION 2.** Pursuant to the Election Services Contract authorized by Resolution No. 3548-2-18(R), the Elections Administrator of Collin County shall serve as Elections Administrator for the election. Presiding Election Judges and Alternate Presiding Election Judges appointed to serve the authorized polling places and the early voting clerk and deputy early voting clerks shall be those election officials furnished by the Elections Administrator from the list of proposed election judges as required in the Elections Services Contract. A voting system or systems meeting the standards and requirements of the Texas Election Code, as amended, is hereby adopted and approved for early voting by personal appearance and by mail and for election day voting.

**SECTION 3.** Notice of the Runoff Election shall be posted on the bulletin board used to post notice of the City Council meetings, the City's website and be published in a newspaper of general circulation in the City. That said notice must be published at least once, not earlier than the 30th day nor later than the 10th day, before Election Day as provided in Section 4.003(a)(1) of the Texas Election Code. A copy of the published notice that contains the name of the newspaper and the date of publication shall be retained as a record of such notice, and the person posting the notice shall make a record of the time of posting, starting date, and the place of posting.

**SECTION 4.** The entire City shall constitute one election precinct for this election and the Municipal Court Building, 301 Century Parkway, Allen, Texas, is hereby designated the polling place. The election officers and maximum number of clerks for said polling place shall be determined and appointed in accordance with the provisions of the Contract.

On Election Day, the polls shall be open from 7:00 A.M. to 7:00 P.M.

The Collin County Elections Office, 2010 Redbud Boulevard, Suite 102, McKinney, Texas 75069, is hereby designated the main early voting place. Early voting by personal appearance shall also be conducted at Allen Municipal Court Building, 301 Century Parkway, Allen, Texas.

City of Allen voters may vote at any of the additional Election Day or Early Voting locations open under full contract services with the Collin County Elections Administration. If the Election Services Contract with the Collin County Elections Administrator revises the polling places listed previously, the City will utilize the polling places designated in said Election Services Contract, as the same may be amended from time to time.

Applications for ballot by mail shall be received and processed by the Collin County Elections Administrator, 2010 Redbud Boulevard, Suite 102, McKinney, Texas 75069. Applications for ballots by mail must be received no later than the close of business on June 5, 2018.

Early voting for the Runoff Election shall begin on Monday, June 4, 2018, and end Tuesday, June 12, 2018, and the dates and hours designated for early voting by personal appearance at the early voting locations shall be as set forth below:

Dates	Hours
Monday, June 4, 2018 through Wednesday, June 6, 2018	8:00 A.M. to 5:00 P.M.
Thursday, June 7, 2018	8:00 A.M. to 7:00 P.M.
Friday, June 8, 2018 and Saturday, June 9, 2018	8:00 A.M. to 5:00 P.M.
Monday, June 11, 2018 and Tuesday, June 12, 2018	7:00 A.M. to 7:00 P.M.

For purposes of processing ballots cast in early voting, the election officers for the early voting ballot board for this election shall be appointed and designated in accordance with the provisions of the Contract.

**SECTION 5.** The City Secretary shall present the Runoff Election returns to the City Council at a Council meeting for the canvassing of said election in accordance with the Texas Election Code. The candidate for Councilmember for Place No. 3 that receives a majority of valid votes by qualified voters at the election shall be declared elected.

**SECTION 6.** This Resolution shall take effect immediately upon its passage.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ALLEN, COLLIN COUNTY, TEXAS, ON THIS THE 15<sup>TH</sup> DAY OF MAY 2018.**

**APPROVED:**

\_\_\_\_\_  
Stephen Terrell, MAYOR

**ATTEST:**

\_\_\_\_\_  
Shelley B. George, TRMC, CITY SECRETARY