ORDINANCE NO. 2015-19

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS, CANVASSING THE RETURNS OF THE MAY 9, 2015 GENERAL ELECTION; DECLARING THE ELECTION RESULTS FOR CITY COUNCIL PLACE 2 AND PLACE 4; ORDERING A RUNOFF ELECTION TO BE HELD ON JUNE 13, 2015 FOR THE PURPOSE OF ELECTING A COUNCILMEMBER TO PLACE 4; DESIGNATING EARLY VOTING POLLING PLACES AND HOURS; DESIGNATING ELECTION DAY POLLING PLACES AND HOURS; ORDERING NOTICES OF ELECTION TO BE GIVEN AS PRESCRIBED BY LAW; APPOINTING THE ROCKWALL COUNTY ELECTIONS ADMINISTRATOR TO ADMINISTER THE RUNOFF ELECTION; APPOINTING ELECTION JUDGES; AUTHORIZING ALL NECESSARY ACTIONS RELATING THERETO; AND PROVIDING A SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Wylie, Texas ("City Council") duly authorized an election to be held within the City of Wylie, Texas ("City") on May 9, 2015 ("Election"), for the purpose of electing two members of the City Council, Place 2 and Place 4, for a term of three years; and

WHEREAS, the Rockwall County Elections Administrator administered the Election; and

WHEREAS, the Rockwall County Elections Administrator has made the return of the Election results and delivered them to the City Council in the time and manner required by law; and

WHEREAS, Election returns lawfully submitted to the City Council and filed with the City Secretary are set forth in Exhibit A and incorporated herein for all purposes; and

WHEREAS, the City Council finds that the Election was duly called; that notice of the Election was given in accordance with the law and City Charter; that the Election was held in accordance with the law and City Charter; that the Election returns were duly and legally made and delivered; and that there were cast at the Election valid and legal votes; and

WHEREAS, the City Council finds and declares that the meeting at which this Ordinance is considered is open to the public as required by law, and that the public notice of the time, place and purpose of the meeting was given as required by Chapter 551 of the Texas Government Code, as amended; and

WHEREAS, the City Council, having canvassed the combined early voting and election day accumulated totals, finds that the votes cast result in the following:

CITY COUNCIL, PLACE 2

Lisa Mellers received 132 or 22.84% of the votes cast.

Diane Culver received 394 or 68.17% of the votes cast.
Catherine Butschek received 52 or 9.00% of the votes cast.

CITY COUNCIL, PLACE 4

Brooke Lopez received 88 or 14.36% of the votes cast.
Bennie Jones received 227 or 37.03% of the votes cast.
Brad Emerson received 141 or 23.00% of the votes cast.
Candy Arrington received 157 or 25.61% of the votes cast.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WYLIE, TEXAS:

Section 1. Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

Section 2. Election Results. The Election returns as set forth herein are declared to be official. Accordingly, Diane Culver is hereby declared elected to City Council Place 2. No candidate for City Council Place 4 received a majority of the votes cast. Accordingly, a runoff election must be called pursuant to Article V, Section 5 of the City of Wylie Home Rule Charter and Texas law.

Section 3. Approval of Elections Results. The City Council hereby finds and determines, as a result of the canvass held on May 20, 2014, that a combined election day and early vote total of 613 votes were cast in the Election, with 434 early votes cast, as indicated by the poll list for the Election held on May 9, 2015. It is hereby declared that the City approves and accepts the results of the Election for City Council Place 2 and Place 4 as set forth in the returns attached hereto as Exhibit A, as determined by the majority vote of the qualified voters of the City.

Section 4. Runoff Election Ordered. Because no candidate for City Council Place 4 received a majority of the votes casts, the City Council hereby orders a runoff election to be held in the City on Saturday, June 13, 2015, for the purpose of electing a Councilmember for Place 4 to a three-year term ("Runoff Election"). The Runoff Election will be between the following candidates:

Bennie Jones
Candy Arrington

Section 5. Early Voting for Runoff Election. Early voting by personal appearance shall be available at the Rockwall County Elections Office, 915 Whitmore Drive, Suite D, Rockwall, Texas, which is designated as the main early voting location, and at the Wylie Municipal Complex (Library), 300 Country Club Road, Building 300, Wylie, Texas.

Early voting will begin on Monday, June 1, 2015 and continue through Tuesday, June 9, 2015. From June 1, 2015 through June 5, 2015, polls will be open during the normal working hours of 8:00 a.m. to 5:00 p.m. with extended voting hours on Saturday, June 6, 2015 from 8:00 a.m. to 5:00 p.m.; on Monday, June 8, 2015 from 7:00 a.m. to 7:00 p.m.; and on Tuesday, June 9, 2015 from 7:00 a.m. to

Exhibit A
Certified Election Returns

(3 pages attached hereto)

CHRISTOPHER J. LYNCH
ELECTIONS ADMINISTRATOR

STATE OF TEXAS

COUNTY OF ROCKWALL

CITY OF WYLIE CANVASS

May 15, 2015

I, Christopher J. Lynch, the undersigned Elections Administrator of Rockwall County, do hereby certify that I have made the actual check and comparison of all the ballots tabulated as voted with Return Sheets, and the unused ballots as recorded on the Register of Official Ballots. I, therefore make the following finding from the May 9, 2015 City of Wylie General Election that was held in Rockwall County, Texas.

I, hereby certify the results to be full, true and correct tabulation, audit and count of the votes cast in the said election.

WITNESSED, by my hand on this 15th day May, 2015.

Christopher J. Lynch

Elections Administrator

Rockwall County, Texas

915 Whitmore Dr. Ste. D • Rockwall, Texas 75087 • Cell 760.927.2925 • clynch@rockwallcountytexas.com

COMBINED EARLY VOTING/ELECTION DAY TOTALS

MAY 9, 2015

WYLIE GENERAL ELECTION

Councilmember, Place 2 - Wylie

	TOTAL	
Number of Precincts	2	
Precints Reporting	2	100%
Vote For	1	
Times Counted	578-22323	2.5%
Total Votes	578	
Times Blank Voted	0	
Times Over Voted	0	
Number of Under Votes	46	
Lisa Mellers	132	22.84%
Diane Culver	**394**	**68.17%**
Catherine Butschek	52	9.0%

Councilmember, Place 4 – Wylie

	TOTAL	
Number of Precincts	2	
Precints Reporting	2	100%
Vote For	1	

Times Counted	613-22323	2.7%
Total Votes	613	
Times Blank Voted	0	
Times Over Voted	0	
Number of Under Votes	11	
Brooke Lopez	88	14.36%%
Bennie Jones	**227**	**37.03%**
Brad Emerson	141	23.00%
Candy Arrington	**157**	**25.61%**

7:00 p.m. Applications for ballot by mail shall be requested from and mailed to the Rockwall County Elections Administration Office, Attn: Elections Administrator, 915 Whitmore Dr. Suite D, Rockwall, Texas 75087. Applications for ballots by mail must be received no later than the close of business on June 5, 2015. Early voting times and locations are subject to change.

Section 6. Election Day Voting for Runoff Election. Election day voting by personal appearance shall be at the following locations from 7:00 a.m. to 7:00 p.m. on Saturday, June 13, 2015:

Polling Places

Southfork Mobile Home Park Community Clubhouse 216 Southfork Blvd. Wylie, Texas 75098	First Baptist Church of Wylie Events Center 200 N. Ballard Avenue Wylie, Texas 75098

Section 7. Voting Equipment and Materials. Direct Record Electronic (DRE) voting machines shall be used in the Runoff Election for early voting by personal appearance and election day voting. Paper ballots shall be used for early voting by mail.

Section 8. Election to Comply with Applicable Laws. The City Secretary is hereby authorized and directed to publish or post, in the time and manner prescribed by law, all notices required to be so published or posted in connection with the conduct of the Runoff Election. The Runoff Election, including providing notice of the Runoff Election, shall be conducted in accordance with the Texas Election Code and other applicable law, and all qualified and registered voters of the City shall be eligible to vote in the Runoff Election.

SECTION 9: Appointment of Election Administrator and Election Judges. The Rockwall County Elections Administrator shall administer the Runoff Election. The following election judges are hereby appointed:

Early Voting:

Rockwall County Elections Office
Chris Lynch, Early Voting Clerk, 915 Whitmore Dr. Suite D, Rockwall, Texas

Smith Public Library
Ruthie Wright, Judge, 113 N. Winding Oaks, Wylie, Texas
Dorothy Swayne, Alternate, 106 N. Cottonbelt, Wylie, Texas

Election Day:

First Baptist Church of Wylie
Ruthie Wright, Judge, 113 N. Winding Oaks, Wylie, Texas
Linda Davis, Alternate, 301 West Kirby #121, Wylie, Texas

Southfork Mobile Home Park
Priscilla Puz, Judge, 106 Cottonbelt, Wylie, Texas
William Martin, Alternate Judge, 402 Hilltop Lane, Wylie, Texas

In the event the appointed judges/alternates are unable to execute or complete their duties for any reason, the Rockwall County Elections Administrator may identify additional alternate judges that the City Council shall appoint as soon as possible.

SECTION 10: Authority of Mayor and City Secretary. The Mayor and the City Secretary, in consultation with the City Attorney, are hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Texas Election Code and any other state or federal law in carrying out and conducting the Election, whether or not expressly authorized herein.

SECTION 11: Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional and/or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. Frisco hereby declares that it would have passed this Ordinance, and each section, subsection, clause and phrase thereof regardless of whether any one or more sections, subsections, sentences, clauses or phrases may be declared unconstitutional and/or invalid.

SECTION 12: Savings/Repealing. All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict. Any remaining portion of conflicting ordinances shall remain in full force and effect.

SECTION 13: Effective Date. This Ordinance and order for the Runoff Election shall become effective immediately upon its passage.

DULY PASSED AND APPROVED BY THE WYLIE CITY COUNCIL on this 20th day of May, 2015.

Eric Hogue, Mayor

ATTEST:

Carole Ehrlich, City Secretary