

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FRISCO, COLLIN AND DENTON COUNTIES, TEXAS, ORDERING A SPECIAL ELECTION TO BE ADMINISTERED BY THE COLLIN COUNTY ELECTIONS ADMINISTRATOR AND THE DENTON COUNTY ELECTIONS ADMINISTRATOR ON FEBRUARY 18, 2017, FOR THE PURPOSE OF FILLING A VACANCY IN THE OFFICE OF CITY COUNCIL, PLACE NO. 1, RESULTING FROM THE RESIGNATION OF THE CURRENT HOLDER OF PLACE NO. 1; DESIGNATING EARLY VOTING POLLING PLACES AND HOURS; DESIGNATING ELECTION DAY POLLING PLACES AND HOURS; DESIGNATING FILING DEADLINES; ORDERING NOTICES OF ELECTION TO BE GIVEN AS PRESCRIBED BY LAW IN CONNECTION WITH SUCH ELECTION; PROVIDING FOR THE APPOINTMENT OF ELECTION JUDGES; AUTHORIZING THE MAYOR AND CITY SECRETARY TO TAKE ALL ACTIONS NECESSARY TO COMPLY WITH APPLICABLE ELECTION LAWS; AND PROVIDING A SAVINGS/REPEALING CLAUSE, SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.**

WHEREAS, City Council of the City of Frisco, Texas (“City Council”) has investigated and determined that a vacancy in the office of City Council, Place No. 1, was created on October 27, 2016, when the holder of that office announced his candidacy for mayor of the City of Frisco, Texas (“Frisco”); and

WHEREAS, pursuant to Article XI, Section 11 of the Texas Constitution, the Texas Election Code and Section 3.06 of the Frisco City Charter, the City Council is required to order a special election to fill the vacancy in the office of the City Council, Place No. 1; and

WHEREAS, the City Council duly authorizes and hereby orders a special election to be held within Frisco on February 18, 2017, for the purpose of filling the vacancy in the office of City Council, Place No. 1.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FRISCO, 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: Special Election Ordered. A special election (“Election”) is hereby ordered to be held on February 18, 2017 (“Election Day”), for the purpose of electing one Council Member to fill the remaining term of office for Place No. 1. The Election shall be administered by the Collin County Elections Administrator and the Denton County Elections Administrator. The Collin County Elections Administrator shall administer the Election for the Collin County portion of Frisco, and the Denton County Elections Administrator shall administer the Election for the Denton County portion of Frisco. Frisco voters shall vote in the county in which they are registered.

SECTION 3: Early Voting.

Collin County Voters: Early voting by personal appearance shall be available at: Collin College, Preston Ridge Campus, 9700 Wade Blvd., Frisco, Texas 75034; Fire Station No. 8, 14700 Rolater Rd., Frisco, Texas 75035; or the Collin County Elections Office, 2010 Redbud Blvd., #102, McKinney, Texas 75069, which is designated as the main early voting polling place. Early voting will begin on Wednesday, February 1, 2017, and continue through Tuesday, February 14, 2017 during the normal working hours of 8:00 a.m. to 5:00 p.m., with extended voting hours on Saturday, February 11, 2017 from 8:00 a.m. to 5:00 p.m.; Thursday, February 9, 2017 from 7:00 a.m. to 7:00 p.m.; Monday, February 13, 2017 from 7:00 a.m. to 7:00 p.m.; and Tuesday, February 14, 2017 from 7:00 a.m. to 7:00 p.m. Applications for ballots by mail shall be requested from and mailed to the Collin County Elections Office, Attn. Bruce Sherbet, Elections Administrator, 2010 Redbud Blvd. #102, McKinney, Texas 75069, bsherbet@co.collin.tx.us. Applications for ballots by mail must be received no later than the close of business on February 7, 2017.

Collin County voters may vote at any of the additional Early Voting locations open under full contract services with the Collin County Elections Administrator, which may be designated after November 15, 2016. The previous sentence shall also be posted in the Notice of Election. Early voting times and locations are subject to change.

Denton County Voters: Early voting by personal appearance shall be available at: Fire Station No. 4, 4485 Cotton Gin Road, Frisco, Texas 75034; Fire Station No. 7, 330 W. Stonebrook Parkway, Frisco, Texas 75034; or the Denton County Elections Office, 701 Kimberley Drive, Denton, Texas 76208, which is designated as the main early voting polling place. Early voting will begin on Wednesday, February 1, 2017, and continue through Tuesday, February 14, 2017 during the normal working hours of 8:00 a.m. to 5:00 p.m., with extended voting hours on Saturday, February 11, 2017 from 8:00 a.m. to 5:00 p.m.; Thursday, February 9, 2017 from 7:00 a.m. to 7:00 p.m.; Monday, February 13, 2017 from 7:00 a.m. to 7:00 p.m.; and Tuesday, February 14, 2017 from 7:00 a.m. to 7:00 p.m. Applications for ballots by mail shall be requested from and mailed to the Denton County Elections Office, Attn. Lannie Noble, Elections Administrator, 701 Kimberley Drive, Denton, Texas 76208, lannie.noble@dentoncounty.com. Applications for ballots by mail must be received no later than the close of business on February 7, 2017.

Denton County voters may vote at any of the additional Early Voting locations open under full contract services with the Denton County Elections Administrator, which may be designated after November 15, 2016. The previous sentence shall also be posted in the Notice of Election. Early voting times and locations are subject to change.

**SECTION 4. Election Day Voting.**

Collin County Voters: Election Day voting by personal appearance shall be at the following locations, and any of the additional Election Day Vote Centers open under full contract services with Collin County Elections Administrator, from 7:00 a.m. to 7:00 p.m.

<b>City Precinct No.</b>	<b>Collin County Precinct No.</b>	<b>Address</b>
2	30, 92, 101, 111, 117, 118, 127, 146 and 177	Collin College, Preston Ridge Campus 9700 Wade Blvd. Frisco, Texas 75034

3	87, 134 and 212	Fire Station No. 8 14700 Rolater Rd. Frisco, Texas 75035
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Denton County Voters: Election Day voting by personal appearance shall be at the following locations, according to voter precincts, from 7:00 a.m. to 7:00 p.m.:

City Precinct No.	Denton County Precinct No.	Address
1	1028, 1029, 1030, 1031, 1036, 1040 and 2028	Fire Station No. 7 330 W. Stonebrook Parkway Frisco, Texas 75034
4	1032, 1033, 1034 and 1035	Fire Station No. 4 4485 Cotton Gin Road Frisco, Texas 75034

SECTION 5: Filing Deadlines. Candidates must file for a specific place and adhere to the filing deadlines. Candidate packets are available in the City Secretary’s Office, 6101 Frisco Square Blvd., Frisco, Texas 75034. The candidate filing periods for the Election are as follows:

Beginning: November 16, 2016 at 8:00 a.m.  
Ending: December 2, 2016 at 5:00 p.m.

SECTION 6: Voting Equipment and Materials. Direct Record Electronic (DRE) voting machines shall be used in this election for early voting and election day voting by personal appearance. Optical-scan ballots shall be used for early voting by mail.

SECTION 7: Election to Comply with Applicable Laws. The City Secretary is hereby authorized and directed to publish and/or post, in the time and manner prescribed by law, all notices required to be so published and/or posted in connection with the conduct of this Election. The Election and notice of the Election shall be conducted in accordance with the Texas Election Code and other applicable law, and all qualified and registered voters of Frisco shall be eligible to vote at the Election.

SECTION 8: Appointment of Election Judges. Upon the receipt of recommendations from the City Secretary and/or the Collin County Elections Administrator and Denton County Elections Administrator, the City Council shall appoint the early voting and election day judges. In the event that the appointed judges are unable to execute or complete their duties for any reason, the City Secretary and/or the Collin County Elections Administrator and Denton County Elections Administrator may identify alternate judges that the City Council shall appoint as soon as possible. The City Secretary is hereby appointed as the custodian of

records for the Election.

**SECTION 9: 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 10: 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. The City Council 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 11: 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 12: Effective Date.** This order for an election becomes effective immediately upon its passage.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FRISCO, TEXAS** on this 15th day of November, 2016.

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Maher Maso, Mayor

**ATTESTED AND  
CORRECTLY RECORDED:**

**APPROVED AS TO FORM:**



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Jenny Page, City Secretary

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Abernathy, Roeder, Boyd & Hullett, P.C.  
Ryan D. Pittman, City Attorneys

Dates of Publication: \_\_\_\_\_, *Frisco Enterprise*