

ORDINANCE NO. 5346

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DENISON, TEXAS, CANVASSING THE SPECIAL ELECTION HELD IN THE CITY OF DENISON ON MAY 4, 2024, FOR THE PURPOSE OF ELECTING A COUNCIL MEMBER FOR SINGLE MEMBER DISTRICT 4, PLACE 4, AND PLACE 6, AT-LARGE, TO SERVE THE REMAINDER OF AN UNEXPIRED TERM UNTIL THE REGULAR CITY COUNCIL ELECTION IN MAY 2025; DECLARING THE RESULTS OF SAID ELECTION; AND ORDAINING OTHER MATTERS ON THE SUBJECT; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS AN OPEN MEETING IN COMPLIANCE WITH THE TEXAS OPEN MEETINGS ACT; PROVIDING REPEALER AND SEVERABILITY CLAUSES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Denison, Texas (“City Council”) ordered and called a Special Election (“Special Election”) to be held on Saturday, May 4, 2024 for the purpose of electing a Council Member for Single Member District 4, Place 4 and Place 6, At-Large, to serve the remainder of unexpired terms until the regular city council election in May 2025; and

WHEREAS, the said Special Election of the City of Denison, Texas (“City”), was held in the City on May 4, 2024, between the hours of 7:00 A.M. and 7:00 P.M.; and

WHEREAS, the City Council caused to be posted and published in accordance with the Texas Election Code and other applicable laws, notices of the Special Election; and

WHEREAS, notices of the Special Election were actually given by the City and the Grayson County Elections Administrator as required by state law; and

WHEREAS, the City Clerk presented affidavits of posting and publication of the notices of the Special Election; and

WHEREAS, the affidavits of posting the publishing notices of the Special Election were examined and approved; and

WHEREAS, the Special Election was duly and legally held on May 4, 2024 in the City and in conformity with the Texas Election Code and other applicable laws as, and the results of the Special Election, including the early voting results, have been certified and returned by the proper judges and clerks thereof; and

WHEREAS, the City Clerk, acting as special custodian of the Special Election records, presented the canvass report for the Special Election, including the returns of the early ballots cast in connection therewith, to the City Council, acting in its capacity as the Canvassing Board for the Special Election; and

WHEREAS, the City Council has considered the returns of said Special Election, including the returns of said ballots cast in connection therewith; and

WHEREAS, the returns of the Special Election, including the returns of early ballots cast in connection therewith, duly and legally made, showed that there were cast at said Special Election, the following total valid and legal votes, which are more thoroughly described in Exhibit A:

Council Member, Place 4 SMD	Votes Cast
Spence Redwine	521

Council Member, Place 6 At-Large	Votes Cast
Teresa Adams	1,171
Braeden Wright	743

WHEREAS, Spence Redwine, unopposed, received a majority of the votes cast at the Special Election for Council Member, Single Member District 4, Place 4, and Teresa Adams received a majority of the votes cast at the Special Election for Council Member for Place 6, At-Large; and

WHEREAS, Section 67.003 of the Texas Election Code provides that each local canvassing authority shall convene not earlier than the third (3rd) day or later than the eleventh (11th) day after election day for the purpose of canvassing the Election results; and

WHEREAS, Section 67.004(a) of the Texas Election Code also provides that only two members of City Council are needed and constitute a quorum for the purpose of canvassing Election results; and

WHEREAS, the City Council, at a Special Council Meeting on May 13, 2024, canvassed the returns of said Special Election.

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

SECTION 1. Incorporation of Premises. The above and foregoing premises are true and correct and are incorporated into the body of this Ordinance and made a part hereof for all purposes.

SECTION 2. Confirmation of Vote Tabulations. The results of the Special Election, as canvassed and tabulated above reflect the expressed desires of the resident qualified voters of the City.

SECTION 3. Issuance of Certificate of Election. That the Mayor is hereby authorized and directed to execute and deliver a Certificate of Election to the successful candidate elected at the Special Election.

SECTION 4. Issuance of Canvass of Special Election. The Mayor is hereby authorized and directed to execute and deliver the Canvass of the Special Election, a copy of which is attached hereto as Exhibit "A", in accordance with the election laws of the State of Texas, and to take all

other action necessary connection therewith.

SECTION 5. Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public, and public notice of the time place, and purpose of said meeting was given, all as required by Article 551.041, Texas Government Code.

SECTION 6. Severability Clause. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional 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. Denison hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences clauses and phrases be declared unconstitutional or invalid.

SECTION 7. Repealer Clause. That any provision of any prior ordinance of the City whether codified or uncodified, which are in conflict with any provision of the Ordinance, are hereby repealed to the extent of the conflict, but all provisions of the ordinances of the City whether codified or uncodified, which are not in conflict with the provisions of this Ordinance, shall remain in full force and effect.

SECTION 8. Declaring an Effective Date. This resolution shall be in full force and effect from and after its passage, and it is accordingly so resolved.

AND IT IS SO ORDERED.

On a motion by Mayor Pro Tem Crawley, seconded by Council Member Thorne, the above and foregoing Ordinance, pursuant to the authority of the Texas Election Code, Sec. 67.004(a), was passed and approved on this the 13th day of May 2024.

Aye: Hander, Courtright, Thorne, Gott, Massey, Crawley and Thomas

Nay:

Abstentions:


Absent:

At a special meeting, May 13, 2024.



JANET GOTT, MAYOR

ATTEST:


Christine Wallentine, City Clerk

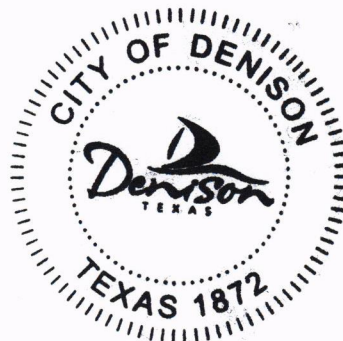


EXHIBIT "A"

STATISTICS

	TOTAL	Absentee	Early Voting	Election Day
Election Day Precincts Reporting	45 of 45	0	0	45
Registered Voters - Total	97,146			
Ballots Cast - Total	10,200	635	6,308	3,257
Ballots Cast - Blank	5	0	4	1
Voter Turnout - Total	10.50%			

Council Member Place 7 (Mayor) City of Denison

Vote For 1

	TOTAL	VOTE %	Absentee	Early Voting	Election Day
Brian Hander	915	45.98%	50	563	302
Robert Crawley	1,075	54.02%	78	718	279
Total Votes Cast	1,990	100.00%	128	1,281	581

Council Member, Place 1 City of Denison

Vote For 1

	TOTAL	VOTE %	Absentee	Early Voting	Election Day
Michael Courtright	437	100.00%	27	283	127
Total Votes Cast	437	100.00%	27	283	127

Council Member, Place 2 City of Denison

Vote For 1

	TOTAL	VOTE %	Absentee	Early Voting	Election Day
James R. Thorne	212	100.00%	9	148	55
Total Votes Cast	212	100.00%	9	148	55

Council Member, Place 4 City of Denison

Vote For 1

	TOTAL	VOTE %	Absentee	Early Voting	Election Day
Spence Redwine	521	100.00%	38	329	154
Total Votes Cast	521	100.00%	38	329	154

Council Member, Place 6 City of Denison

Vote For 1

	TOTAL	VOTE %	Absentee	Early Voting	Election Day
Teresa Adams	1,171	61.18%	91	766	314
Braeden Wright	743	38.82%	37	468	238
Total Votes Cast	1,914	100.00%	128	1,234	552