



**AGENDA
ALLEN CITY COUNCIL
SPECIAL CALLED MEETING TO CANVASS ELECTION
MAY 23, 2011 – 4:30 P.M.
ALLEN CITY 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 14, 2011.

1. Canvass of Election Returns.
2. Adopt a Resolution Declaring the Results of the General Election.

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 Thursday, May 19, 2011, 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 23, 2011

SUBJECT: Consider All Matters Incident and Related to the Canvassing of Returns and Approve a Resolution Declaring the Results of the May 14, 2011, General Election

STAFF RESOURCE: Shelley B. George, City Secretary

PREVIOUS COUNCIL ACTION: Adopted Resolution No. 2990-2-11(R) ordering the election

ACTION PROPOSED: Canvass of Election Returns / Adopt Resolution
Declare 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 later than the 11th day after election day and not earlier than the later of the third day after election day.”

The Early Voting Ballot Board reconvened at 9 a.m. on May 20 to count returned military overseas ballots (FPCA - Federal Post Card Application) and provisional ballots. The proposed resolution includes the final totals of votes cast in the May 14 Election.

STAFF RECOMMENDATION

It is the recommendation of Staff that Council canvass the election and consider the proposed resolution declaring the results of the May 14, 2011, 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 14, 2011, 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 14, 2011, FOR THE PURPOSE OF ELECTING THE MAYOR AND CITY COUNCILMEMBER FOR PLACE NO. 2; 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 14, 2011, 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:

	EARLY VOTES CAST	REGULAR VOTES CAST	TOTAL VOTES CAST
MAYOR			
STEVE TERRELL	1,374	811	2,185
BLAKE BEIDLEMAN	222	148	370
COUNCILMEMBER PLACE NO. 2			
JIM GAUCH	519	323	842
ROSS OBERMEYER	995	575	1,570

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 Steve Terrell was duly elected Mayor, and that Ross Obermeyer was duly elected Councilmember, Place No. 2. Above named parties are hereby declared duly elected to those respective offices, subject to the taking of their oaths as provided by the laws of the State of Texas.

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 23RD DAY OF MAY, 2011.

APPROVED:

Stephen Terrell, MAYOR

ATTEST:

Shelley B. George, CITY SECRETARY