

MURPHY CITY COUNCIL AGENDA
REGULAR CITY COUNCIL MEETING
MAY 16, 2016 AT 6:00 PM
206 NORTH MURPHY ROAD
MURPHY, TEXAS 75094



Eric Barna
Mayor

Scott Bradley
Mayor Pro Tem

Owais Siddiqui
Deputy Mayor Pro Tem

Ben St. Clair
Councilmember

Betty Spraggins
Councilmember

Sarah Fincanon
Councilmember

Rob Thomas
Councilmember

Jennifer Berthiaume
Candidate Elect

Don Reilly
Candidate Elect

Bill Shipp
Interim City Manager

Susie Quinn
City Secretary

NOTICE is hereby given of a meeting of the City Council of the City of Murphy, Collin County, State of Texas, to be held on May 16, 2016 at Murphy City Hall for the purpose of considering the following items. The City Council of the City of Murphy, Texas, reserves the right to meet in closed session on any of the items listed below should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

1. CALL TO ORDER

2. INVOCATION & PLEDGE OF ALLEGIANCE

3. ROLL CALL & CERTIFICATION OF A QUORUM

4. PUBLIC COMMENTS

5. PRESENTATIONS

A. Presentation for the Outgoing Councilmembers:

- Ben St. Clair served from 2013 through 2016.
- Rob Thomas served from 2013 through 2016.

6. INDIVIDUAL CONSIDERATION

- A. Consider and act upon approval of Ordinance Number 16-05-1010 canvassing and declaring the election results of the May 7, 2016 General Election.
- B. Issuance of Certificate of Election to newly elected Council Members.
- C. Administer Oath of Office to newly elected Council Members.

9. ADJOURNMENT

RECEPTION TO FOLLOW MEETING.

I certify that this is a true and correct copy of the Murphy City Council Meeting Agenda and that this notice was posted on the designated bulletin board at Murphy City Hall, 206 North Murphy Road, Murphy, Texas 75094; a place convenient and readily accessible to the public at all times, and said notice was posted on May 13, 2016 by 5:00 p.m. and will remain posted continuously for 72 hours prior to the scheduled meeting pursuant to Chapter 551 of the Texas Government Code.

Susie Quinn, TRMC
City Secretary

City Council Meeting
May 16, 2016

Issue

Consider and act upon approval of Ordinance Number 16-05-1010 canvassing and declaring the election results of the May 7, 2016 General Election.

Staff Resource / Department

Susie Quinn, City Secretary

Summary

The Council will consider an ordinance canvassing the results of the May 7, 2016 General Election.

Action Requested

Motion to approve Ordinance Number 16-05-1010 canvassing and declaring the election results of the May 7, 2016 General Election.

Attachments

Ordinance Canvassing Election Results
Collin County Elections Administrator Unofficial Results

ORDINANCE NO. 16-05-1010**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MURPHY, COLLIN COUNTY, TEXAS, CERTIFYING THE ELECTION RESULTS FOR THE MAY 7, 2016 GENERAL ELECTION; DECLARING THE RESULTS; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, the City Council ordered an election to be held on May 7, 2016 for the purpose of electing the Council Member Place 1, Council Member Place 2, Council Member Place 4 and Council Member Place 6, to three (3) year term of office, pursuant to the City of Murphy, Texas Home-Rule Charter; and

WHEREAS, only duly qualified resident voters of the City of Murphy, Texas, voted at the general election called and held on May 7, 2016; and

WHEREAS, section 67.003 of the Texas Election Code provides that each local canvassing authority shall convene not earlier than the eighth (8th) 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 (2) members of City Council are needed and constitute a quorum for the purpose of canvassing election results; and

WHEREAS, a quorum of the City Council met on Monday, May 16, 2016, and duly canvassed the election returns of the above mentioned election, hereby attached as *Exhibit A*.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MURPHY, COLLIN COUNTY, TEXAS, AS FOLLOWS:

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

Section 2. That the City Council officially finds and determines an election was duly ordered to be held in the City of Murphy, Texas on the 7th day of May, 2016 for the purpose of electing the Council Member Place 1, Council Member Place 2, Council Member Place 4 and Council Member Place 6, to three (3) year term of office and that proper notice of said election was duly given; that proper election officers were duly appointed prior to said election; that said election has been made and delivered; and that the City Council has duly canvassed said returns all in accordance with law.

Section 3. That the City Council officially finds and determines that only qualified resident voters of the City were allowed to vote at said election, and following votes were cast at said general and special elections, and that the canvass of the votes cast in said election and returns thereof, which is attached hereto as *Exhibit A*, were made in accordance with the law.

Section 4. Pursuant to the applicable provisions of the Texas Local Government Code, Texas Election Code, and the City of Murphy, Texas Home-Rule Charter, the City Council officially finds and determines and declares the results of said election to be that:

- (1) **Owais Siddiqui** is elected **Council Member for Place 1** to a three (3) year term of office by majority vote of the voters; and
- (2) **Jennifer “Jenny” Berthiaume** is elected **Council Member for Place 2** to a three (3) year term of office by majority vote of the voters; and
- (3) **Betty Nichols Spraggins** is elected **Council Member for Place 4** to a three (3) year term of office by majority vote of the voters; and
- (4) **Don Reilly** is elected **Council Member for Place 6** to a three (3) year term of office by majority vote of the voters.

Section 5. Severability Clause. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation of this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 6. Repealer Clause. 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 other 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 7. Effective Date. This Ordinance shall be effective immediately upon its passage.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MURPHY, TEXAS, on this the 16th day of May, 2016.

Eric Barna, Mayor
City of Murphy

ATTEST:

Susie Quinn, City Secretary
City of Murphy

Exhibit A
Canvass Documents

STATE OF TEXAS

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CANVASS OF THE
CITY OF MURPHY
SPECIAL ELECTION

COUNTY OF COLLIN

§

MAY 7, 2016

I, Bruce Sherbet, the undersigned Elections Administrator of Collin County, do hereby certify that I have made an actual check and comparison of all the ballots tabulated as voted with the Return Sheets, and the unused ballots as recorded on the Register of Official Ballots. I, therefore, make the following report of my findings from the May 7, 2016, City of Murphy Special Election that was held in Collin County, Texas.

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

WITNESS, my hand on this the 13th day of May 2016.



Bruce Sherbet
Elections Administrator
Collin County

Election Summary Report
 Collin County, Texas
 General and Special Elections
 May 7, 2016

Date:05/13/16
 Time:11:09:40
 Page:1 of 1

Summary For Jurisdiction Wide, All Counters, Murphy City
 Early Voting and Election Day Combined Accumulated Totals

Registered Voters 482033 - Cards Cast 617 0.13%

Num. Report Precinct 199 - Num. Reporting 199 100.00%

Murphy Councilman P1		(370)	
	Total		
Number of Precincts	5		
Precincts Reporting	5	100.0 %	
Vote For	1		
Times Counted	617/11547	5.3 %	
Total Votes	404		
Times Blank Voted	213		
Times Over Voted	0		
Number Of Under Votes	0		
Owais Siddiqui	404	100.00%	

Murphy Councilman P2		(380)	
	Total		
Number of Precincts	5		
Precincts Reporting	5	100.0 %	
Vote For	1		
Times Counted	617/11547	5.3 %	
Total Votes	521		
Times Blank Voted	96		
Times Over Voted	0		
Number Of Under Votes	0		
Jennifer Berthiaume	399	76.58%	
Stan John	122	23.42%	

Murphy Councilman P4		(390)	
	Total		
Number of Precincts	5		
Precincts Reporting	5	100.0 %	
Vote For	1		
Times Counted	617/11547	5.3 %	
Total Votes	410		
Times Blank Voted	207		
Times Over Voted	0		
Number Of Under Votes	0		
Betty Spraggins	410	100.00%	

Murphy Councilman P6		(400)	
	Total		
Number of Precincts	5		
Precincts Reporting	5	100.0 %	
Vote For	1		
Times Counted	617/11547	5.3 %	
Total Votes	517		
Times Blank Voted	100		
Times Over Voted	0		
Number Of Under Votes	0		
Laurel A. Clement	249	48.16%	
Don Reilly	268	51.84%	

Election Summary Report
 Collin County, Texas
 General and Special Elections
 May 7, 2016

Date:05/13/16
 Time:11:03:46
 Page:1 of 1

Summary For Jurisdiction Wide, , Murphy City
 Election Day Accumulated Totals

Registered Voters 482033 - Cards Cast 252 0.05%

Num. Report Precinct 199 - Num. Reporting 199 100.00%

Murphy Councilman P1		(370)	
	Total		
Number of Precincts	5		
Precincts Reporting	5	100.0	%
Vote For	1		
Times Counted	252/11547	2.2	%
Total Votes	161		
Times Blank Voted	91		
Times Over Voted	0		
Number Of Under Votes	0		
Owais Siddiqui	161	100.00%	

Murphy Councilman P2		(380)	
	Total		
Number of Precincts	5		
Precincts Reporting	5	100.0	%
Vote For	1		
Times Counted	252/11547	2.2	%
Total Votes	216		
Times Blank Voted	36		
Times Over Voted	0		
Number Of Under Votes	0		
Jennifer Berthiaume	149	68.98%	
Stan John	67	31.02%	

Murphy Councilman P4		(390)	
	Total		
Number of Precincts	5		
Precincts Reporting	5	100.0	%
Vote For	1		
Times Counted	252/11547	2.2	%
Total Votes	151		
Times Blank Voted	101		
Times Over Voted	0		
Number Of Under Votes	0		
Betty Spraggins	151	100.00%	

Murphy Councilman P6		(400)	
	Total		
Number of Precincts	5		
Precincts Reporting	5	100.0	%
Vote For	1		
Times Counted	252/11547	2.2	%
Total Votes	223		
Times Blank Voted	29		
Times Over Voted	0		
Number Of Under Votes	0		
Laurel A. Clement	81	36.32%	
Don Reilly	142	63.68%	

Election Summary Report
 Collin County, Texas
 General and Special Elections
 May 7, 2016

Date:05/13/16
 Time:10:55:55
 Page:1 of 1

Summary For Jurisdiction Wide, , Murphy City
 Early Voting Accumulated Totals

Registered Voters 482033 - Cards Cast 365 0.08%

Num. Report Precinct 199 - Num. Reporting 199 100.00%

Murphy Councilman P1		(370)	
	Total		
Number of Precincts	5		
Precincts Reporting	5	100.0 %	
Vote For	1		
Times Counted	365/11547	3.2 %	
Total Votes	243		
Times Blank Voted	122		
Times Over Voted	0		
Number Of Under Votes	0		
Owais Siddiqui	243	100.00%	

Murphy Councilman P2		(380)	
	Total		
Number of Precincts	5		
Precincts Reporting	5	100.0 %	
Vote For	1		
Times Counted	365/11547	3.2 %	
Total Votes	305		
Times Blank Voted	60		
Times Over Voted	0		
Number Of Under Votes	0		
Jennifer Berthiaume	250	81.97%	
Stan John	55	18.03%	

Murphy Councilman P4		(390)	
	Total		
Number of Precincts	5		
Precincts Reporting	5	100.0 %	
Vote For	1		
Times Counted	365/11547	3.2 %	
Total Votes	259		
Times Blank Voted	106		
Times Over Voted	0		
Number Of Under Votes	0		
Betty Spraggins	259	100.00%	

Murphy Councilman P6		(400)	
	Total		
Number of Precincts	5		
Precincts Reporting	5	100.0 %	
Vote For	1		
Times Counted	365/11547	3.2 %	
Total Votes	294		
Times Blank Voted	71		
Times Over Voted	0		
Number Of Under Votes	0		
Laurel A. Clement	168	57.14%	
Don Reilly	126	42.86%	

In compliance with the American with Disabilities Act, the City of Murphy will provide for reasonable accommodations for persons attending public meetings at City Hall. Requests for accommodations or interpretive services must be received at least 48 hours prior to the meeting. Please contact the City Secretary at 972.468.4011 or squinn@murphytx.org.

Notice of Possible Quorum: There may be a quorum of the Animal Shelter Advisory Committee, the Board of Adjustment, the Building and Fire Code Appeals Board, the Charter Review Commission, the Ethics Review Commission, the Murphy Community Development Corporation, the Murphy Municipal Development District Board, the Park and Recreation Board and/or the Planning and Zoning Commission members who may be present at the meeting, but they will not deliberate on any city or board business.