



Prosper is a place where everyone matters.

Agenda
Prosper Town Council Special Meeting
Council Chambers
Prosper Town Hall
250 W. First Street, Prosper, Texas
Wednesday, May 18, 2022
7:30 AM

Notice Regarding Public Participation

Welcome to the Prosper Town Council. Individuals may attend the meeting in person, or access the meeting via videoconference, or telephone conference call.

Join the Zoom Meeting by clicking on the following link: <https://us02web.zoom.us/j/88245295044>

To join the meeting by phone, dial (346) 248-7799

Enter Meeting ID: 882 4529 5044

Addressing the Town Council:

Those wishing to address the Town Council must complete the [Public Comment Request Form](#) located on the Town website or in Council Chambers.

If you are attending in person, please submit this form to the Town Secretary prior to the meeting. When called upon, please come to the podium and state your name and address for the record.

If you are attending online/virtually, please submit this form to the Town Secretary prior to 5:00 p.m. on the day of the meeting. Please ensure your full name appears on the screen and you are unmuted so the meeting moderator can recognize you and allow you to speak. The Chat feature is not monitored during the meeting. The Town assumes no responsibility for technical issues that are beyond our control.

If you encounter any problems joining or participating in the meeting, please call our help line at 972-569-1191 for assistance.

Call to Order/ Roll Call.

Items for Individual Consideration:

1. Consider and act upon an ordinance canvassing the returns and declaring the results of the May 7, 2022, General Election. (MLS)

Adjourn.

CERTIFICATION

I, the undersigned authority, do hereby certify that this Notice of Meeting was posted at Prosper Town Hall, located at 250 W. First Street, Prosper, Texas, a place convenient and readily accessible to the general public at all times, and said Notice was posted by 5:00 p.m., on Friday, May 13, 2022, and remained so posted at least 72 hours before said meeting was convened.

Michelle Lewis Sirianni, Town Secretary

Date Notice Removed

Pursuant to Section 551.071 of the Texas Government Code, the Town Council reserves the right to consult in closed session with its attorney and to receive legal advice regarding any item listed on this agenda.

NOTICE

Pursuant to Town of Prosper Ordinance No. 13-63, all speakers other than Town of Prosper staff are limited to three (3) minutes per person, per item, which may be extended for an additional two (2) minutes with approval of a majority vote of the Town Council.

NOTICE OF ASSISTANCE AT PUBLIC MEETINGS: The Prosper Town Council meetings are wheelchair accessible. For special services or assistance, please contact the Town Secretary's Office at (972) 569-1011 at least 48 hours prior to the meeting time.



TOWN SECRETARY'S OFFICE

To: Mayor and Town Council

From: Michelle Lewis Sirianni, Town Secretary

**Through: Harlan Jefferson, Town Manager
Robyn Battle, Executive Director of Community Services**

Re: Town Council Special Meeting – May 18, 2022

Agenda Item:

Consider and act upon an ordinance canvassing the returns and declaring the results of the May 7, 2022, General Election

Description of Agenda Item:

The Town of Prosper held a General Election on May 7, 2022, in accordance with the Texas Election Code. Collin County and Denton County Early Voting Ballot Boards are conducting and completing their counts of any outstanding ballots to be completed with entities notified as soon as possible and/or by May 17, 2022. Therefore, the Town of Prosper has not received the official count of results due to any possible outstanding provisional and/or overseas military ballots.

The following reflects the “unofficial” tabulation of results. If the Town is informed of any changes to the totals, the ordinance will be updated prior to the meeting.

Mayor						
Combined Totals	Early Voting In-Person	Early Voting Mail	Election Day In-Person	Early Voting Provisional	Total	Vote %
David F. Bristol	1,801	102	515	0	2,418	100.00%
Totals	1,801	102	515	0	2,418	100.00%
Overvotes	0	0	0	0	0	
Undervotes	419	25	164	0	608	
Councilmember Place 1						
Combined Totals	Early Voting In-Person	Early Voting Mail	Election Day In-Person	Early Voting Provisional	Total	Vote %
Thom Vars	664	25	176	0	865	31.51%
Marcus E. Ray	1,378	82	420	0	1,880	68.49%
Totals	2,042	107	596	0	2,745	100.00%
Overvotes	0	0	1	0	1	
Undervotes	178	20	82	0	280	
Councilmember Place 4						
Combined Totals	Early Voting In-Person	Early Voting Mail	Election Day In-Person	Early Voting Provisional	Total	Vote %
Chris M. Kern	1,810	105	498	0	2,413	100.00%
Totals	1,810	105	498	0	2,413	100.00%
Overvotes	0	0	0	0	0	
Undervotes	410	22	181	0	613	

David Bristol and Chris Kern ran unopposed in the General Election; therefore, they are automatically elected to the position of Mayor and Town Council, Place 4.

The Town Charter states that the candidate for elective office receiving a majority of the votes cast shall be declared the winner; therefore, as the Town Secretary of the Town of Prosper, I certify that Marcus Ray has been duly elected to Town Council, Place 1.

Legal Obligations and Review:

Terrence Welch of Brown & Hofmeister, L.L.P., has approved the standard ordinance as to form and legality.

Attached Documents:

1. Ordinance
2. "Unofficial" Tabulation of Results

Town Staff Recommendation:

Town staff recommends that the Town Council adopt an ordinance canvassing the returns and declaring the results of the May 7, 2022, General Election.

Proposed Motion:

I make a motion to approve an ordinance canvassing the returns and declaring the results of the May 7, 2022, General Election.

TOWN OF PROSPER, TEXAS

ORDINANCE NO. 2022-23

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE GENERAL ELECTION HELD ON MAY 7, 2022, FOR THE PURPOSE OF ELECTING A MAYOR, TOWN COUNCIL PLACE 1 AND TOWN COUNCIL PLACE 4; PROVIDING FOR SAVINGS, REPEALING AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Town Council of the Town of Prosper, Texas ("Town Council"), issued an order on February 8, 2022, directing that a General Election be held on May 7, 2022, for the purpose of electing a Mayor, Town Council Place 1, and Town Council Place 4; and

WHEREAS, the Collin County Elections Administrator and the Denton County Elections Administrator that held said General Election have duly made the returns of the results thereof, and said returns have been duly delivered to this Town Council; and

WHEREAS, the Town 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 Vernon's Ann. Texas Government Code, Section 551.041, as amended; and

WHEREAS, notice of the general election was properly given by the Town as required by law; and

WHEREAS, said election was duly and legally held on May 7, 2022, in the Town and in conformity with the election laws of the State of Texas, and the results of said election have been certified and returned by the proper judge and clerks thereof; and

WHEREAS, the Town Council has considered the returns of said election held on May 7, 2022.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS:

SECTION 1

All of the above premises are hereby found to be true and correct factual and legislative determinations of the Town of Prosper and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2

The official canvass of the returns of the General Election reflects that the following named persons received the number of votes set opposite their names in the respective positions to be filled:

Mayor						
Combined Totals						
	Early Voting In-Person	Early Voting Mail	Election Day In-Person	Early Voting Provisional	Total	Vote %
David F. Bristol	1,801	102	515	0	2,418	100.00%
Totals	1,801	102	515	0	2,418	100.00%
Overvotes	0	0	0	0	0	
Undervotes	419	25	164	0	608	

Councilmember Place 1						
Combined Totals						
	Early Voting In-Person	Early Voting Mail	Election Day In-Person	Early Voting Provisional	Total	Vote %
Thom Vars	664	25	176	0	865	31.51%
Marcus E. Ray	1,378	82	420	0	1,880	68.49%
Totals	2,042	107	596	0	2,745	100.00%
Overvotes	0	0	1	0	1	
Undervotes	178	20	82	0	280	

Councilmember Place 4						
Combined Totals						
	Early Voting In-Person	Early Voting Mail	Election Day In-Person	Early Voting Provisional	Total	Vote %
Chris M. Kern	1,810	105	498	0	2,413	100.00%
Totals	1,810	105	498	0	2,413	100.00%
Overvotes	0	0	0	0	0	
Undervotes	410	22	181	0	613	

The canvass of the returns of the General Election held on May 7, 2022, reflects that the following person was duly elected to the respective position shown:

Mayor:	David F. Bristol
Town Council Place 1:	Marcus E. Ray
Town Council Place 4:	Chris M. Kern

SECTION 3

All provisions of any Ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed Ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the Ordinance. Any remaining portions of said Ordinances shall remain in full force and effect.

SECTION 4

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. Prosper hereby declares that is would have passed this Ordinance, and each section, subsection, 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 5

This Ordinance shall be effective immediately upon its passage.

DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, ON THIS THE 18TH DAY OF MAY, 2022.

APPROVED:

Ray Smith, Mayor

ATTEST:

Michelle Lewis Sirianni, Town Secretary

APPROVED AS TO FORM:

Terrence S. Welch, Town Attorney



Prosper is a place where everyone matters.

MAY 2022 GENERAL ELECTION "UNOFFICIAL" ELECTION RESULTS

MAYO 2022 ELECCIÓN GENERAL RESULTADOS "NO OFICIALES" DE LAS ELECCIONES *

Mayor						
Combined Totals						
	Early Voting	Early Voting	Election Day	Early Voting	Total	Vote %
	In-Person	Mail	In-Person	Provisional		
David F. Bristol	1,801	102	515	0	2,418	100.00%
Totals	1,801	102	515	0	2,418	100.00%
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Councilmember Place 1						
Combined Totals						
	Early Voting	Early Voting	Election Day	Early Voting	Total	Vote %
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Marcus E. Ray	1,378	82	420	0	1,880	68.49%
Totals	2,042	107	596	0	2,745	100.00%
Overvotes	0	0	1	0	1	
Undervotes	178	20	82	0	280	
Councilmember Place 4						
Combined Totals						
	Early Voting	Early Voting	Election Day	Early Voting	Total	Vote %
	In-Person	Mail	In-Person	Provisional		
Chris M. Kern	1,810	105	498	0	2,413	100.00%
Totals	1,810	105	498	0	2,413	100.00%
Overvotes	0	0	0	0	0	
Undervotes	410	22	181	0	613	

*Election results are unofficial until the Town of Prosper canvasses the election. Canvassing is scheduled for Wednesday, May 18 at 7:30 a.m.

* Los resultados de las elecciones no son oficiales hasta que el Municipalidad de Prosper haga un escrutinio de las elecciones. El escrutinio está programado para el miércoles 18 de mayo a las 7:30 a.m.

CERTIFICATION

I, the undersigned authority, do hereby certify that this Unofficial Tabulation of Results was posted at Prosper Town Hall, located at 250 W. First Street, Prosper, Texas 75078, a place convenient and readily accessible to the general public at all times, and said notice was posted at 10:30 p.m. on May 7, 2022.