

**TOWN OF ADDISON, TEXAS**

**ORDINANCE NO. 009-019**

**AN ORDINANCE OF THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, CANVASSING AND DECLARING THE RESULTS OF (I) THE GENERAL ELECTION OF OFFICERS HELD ON MAY 9, 2009 FOR THE PURPOSE OF ELECTING ONE (1) MAYOR FOR A TWO (2) YEAR TERM OF OFFICE AND THREE (3) COUNCIL MEMBERS FOR TWO (2) YEAR TERMS OF OFFICE EACH, AND (II) A SPECIAL ELECTION HELD ON MAY 9, 2009 FOR THE PURPOSE OF ELECTING ONE (1) COUNCIL MEMBER TO SERVE AN UNEXPIRED ONE (1) YEAR TERM OF OFFICE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the Town of Addison, Texas (the "City") heretofore ordered and called a general election to be held on the 9<sup>th</sup> day of May, 2009 within the City for the purpose of electing one (1) Mayor for a two (2) year term of office and three Council Members for two (2) year terms of office each, and ordered and called a special election to be held within the City on the 9<sup>th</sup> day of May, 2009 for the purpose of electing one (1) Council member to serve an unexpired one (1) year term of office (collectively, the "Elections"); and

**WHEREAS**, notice of the Elections was given pursuant to and in accordance with applicable law, and the Elections were duly and lawfully conducted and held on May 9, 2009, and the returns of the Elections have been delivered in accordance with law to the City Council as the canvassing authority for the Elections; and

**WHEREAS**, a quorum of the City Council as required by law met on May 18, 2009 for the purpose of canvassing the returns and declaring the results of the Elections as set forth herein.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:**

Section 1. The above and foregoing recitals to this Ordinance are true and correct and are incorporated herein and made a part of this Ordinance for all purposes.

Section 2. Canvass of General Election.

A. A tabulation of the returns of the general election of officers of the City held on May 9, 2009, called and ordered for the purpose of electing one (1) Mayor for a two (2) year term of office and three Council Members for two (2) year terms of office each, is attached hereto as Exhibit A and incorporated herein and made a part hereof for all purposes. A summary of the said tabulation of returns for the general election set forth in the attached Exhibit A, showing the total votes received by each of the candidates, is as follows:

**Mayor, Two Year Term:**

<u>Name of Candidate</u>	<u>Total Votes</u>
Tamara Whitman	28
Joe Chow	1003
Todd Meier	584

**Council Member, Two Year Term:**

<u>Name of Candidate</u>	<u>Total Votes</u>
Blake Clemens	824
Bianca Noble	926
Don R. Daseke	812
Ted Bernstein	537

B. In accordance with the foregoing and pursuant to applicable law, including the Texas Election Code and the City's Home Rule Charter, the City Council finds, determines and declares the results of said general election to be that:

Joe Chow is elected to the office of Mayor of the City for a term of two (2) years;

and

Blake Clemens, Bianca Noble, and Don R. Daseke are each elected to the office of Council Member of the City for a term of (2) years.

**Section 3. Canvass of Special Election.**

A. A tabulation of the returns of the special election of the City held on May 9, 2009, called and ordered for the purpose of electing one (1) Council Member for a one (1) year unexpired term of office, is attached hereto as Exhibit B and incorporated herein and made a part hereof for all purposes. A summary of the said tabulation of returns for the special election set forth in the attached Exhibit B, showing the total votes received by each of the candidates, is as follows:

**Council Member, One (1) Year Unexpired Term:**

<u>Name of Candidate</u>	<u>Total Votes</u>
Kimberly Lay	1059
Fan Benno-Caris	376

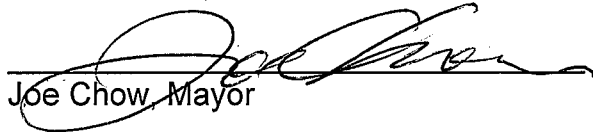
B. In accordance with the foregoing and pursuant to applicable law, including the Texas Election Code and the City's Home Rule Charter, the City Council finds, determines and declares the results of said special election to be that:

Kimberly Lay is elected to the office of Council Member of the City for an unexpired term of one (1) year.

Section 4. Severability. The sections, paragraphs, sentences, phrases, clauses and words of this Ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word in this Ordinance is held invalid or unconstitutional by the final, valid judgment or decree of a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares that it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 5. Effective Date. This Ordinance shall take effect immediately from and after its passage and approval.

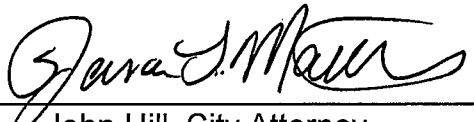
**PASSED AND APPROVED** by the City Council of the Town of Addison, Texas, on this the 18th day of May, 2009.

  
Joe Chow, Mayor

ATTEST:

By:   
Lea Dunn, City Secretary

APPROVED AS TO FORM:

By:   
John Hill, City Attorney  
JASON L. Mathis, Asst. City Attorney

PUBLISHED ON: 05/04/09

# Town of Addison Municipal Election

EXHIBIT A

**May 9, 2009**

Unofficial Tabulation of Returns

CANDIDATE	FIRE 1 (1602)	FIRE 2 (1600-1601)	Early Voting	Totals
<b>FOR MAYOR (FULL TERM):</b>				
Tamara Whitman	7	8	13	28
Joe Chow	147	329	527	1003
Todd Meier	91	227	266	584
<b>FOR COUNCILMEMBER (FULL TERM):</b>				
Blake W. Clemens	125	249	450	824
Bianca Noble	107	350	469	926
Don R. Daseke	94	261	457	812
Ted Bernstein	70	162	305	537

For complete Town of Addison results go to: <http://www.dalcoelections.org/>

# Town of Addison Special Municipal Election

EXHIBIT B

May 9, 2009

### Unofficial Tabulation of Returns

CANDIDATE	FIRE 1 (1602)	FIRE 2 (1600-1601)	Early Voting	Totals
<b>FOR COUNCILMEMBER (UNEXPIRED TERM):</b>				
Kimberly Lay	149	399	511	1059
Fan Benno-Caris	62	125	189	376

For complete Town of Addison results go to: <http://www.dalcoelections.org/>