

RESOLUTION NO. 1336

A RESOLUTION CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE DECEMBER 13, 2022 RUNOFF ELECTION OF THE CITY OF KYLE, TEXAS

WHEREAS, the City Council of the City of Kyle, Texas (City) held a General Election on November 8, 2022 for the purpose of electing two members to the Kyle City Council for a three-year term, specifically City Council Districts 1 and 3; and

WHEREAS, the names of the candidates were submitted, the election was held and conducted and the returns thereof were made, all as required by laws of the United States and the State of Texas, including particularly the Texas Election Code; and

WHEREAS, under State law, if a candidate does not receive enough votes to be elected in an election requiring a majority vote, a runoff election is required for the candidates who receive the highest and second highest number of votes in the main election (Texas Election Code §§2.021, 2.023); and

WHEREAS, it was found that neither of the District 1 candidates, Amanda Stark and Bear Heiser received enough votes to be elected in an election requiring a majority vote, and in accordance with the City Charter and Texas Election Code, a Municipal Runoff Election was required to be held; and

WHEREAS, the runoff election was held on Tuesday, December 13, 2022, for the purpose of electing a City Council Member District 1; and

WHEREAS, pursuant to the City Charter and Texas Election Code, the City Council of the City of Kyle, Texas, convened on this the 20th day of December 2022, at 6:30 P.M. for the purpose of canvassing the vote in the runoff election held on December 13, 2022;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KYLE, TEXAS, THAT:

Section One. Canvass of Vote - Runoff Election.

(a) There came to be considered the returns of the runoff election held on the 13th day of December, 2022, for the purpose of electing a City Council Member District 1, and it appearing from said returns, duly and legally made; that each of the candidates in said election received the following votes:

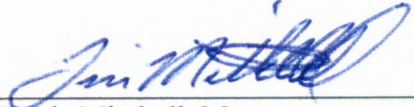
<u>COUNCIL BY PLACE:</u>	<u>VOTES CAST:</u>		
	<u>Early</u>	<u>Election Day</u>	<u>Total</u>
DISTRICT 1			
Amanda Stark	199	103	302
Bear Heiser	526	241	767

(b) It is found, determined and declared by the City Council that 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 Bear Heiser was duly elected to District 1. Said above named party is hereby declared duly elected to said office, subject to the taking of the oath of office as provided by the laws of the State of Texas.

Section Two. If any part or parts of this resolution are found to be invalid or unconstitutional by a court having competent jurisdiction, then such invalidity or unconstitutionality shall not affect the remaining parts hereof and such remaining parts shall remain in full force and effect, and to that extent this Resolution is considered severable.


Section Three. This Resolution will become effective immediately upon its passage by the Kyle City Council.

CONSIDERED PASSED and APPROVED, this 20th day of December, 2022, at a meeting of the City Council of the City of Kyle, Texas, at which a quorum was present and which was held in accordance with Chapter 551, Texas Government Code.



Travis Mitchell, Mayor

ATTEST:



Jennifer Kirkland, City Secretary

City of Kyle Cumulative Results**Hays County, Texas****Official Results**

Dec 13 2022 Run-Off Election

Run-Off Election

Registered Voters

1070 of 29526 = 3.62%

Precincts Reporting

20 of 20 = 100.00%

Run Time 10:24 AM

12/13/2022

Run Date 12/20/2022

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District 1, Kyle City Council

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Amanda Stark		72	31.86%	127	25.45%	103	29.94%	302	28.25%
Bear Heiser		154	68.14%	372	74.55%	241	70.06%	767	71.75%
	Cast Votes:	226	100.00%	499	100.00%	344	100.00%	1,069	100.00%
	Undervotes:	1		0		0		1	
	Overvotes:	0		0		0		0	

*** End of report ***