

RESOLUTION NO. 1442

A RESOLUTION CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE DECEMBER 9, 2023 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 7, 2023 for the purpose of electing three members to the Kyle City Council for a three-year term, specifically Mayor and City Council Districts 2 and 4; 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 none of the District 4 candidates 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 for the candidates who received the highest and second highest number of votes, who were Claudia Zapata and Lauralee Harris; and

WHEREAS, the runoff election was held on Saturday, December 9, 2023, for the purpose of electing a City Council Member District 4; and

WHEREAS, pursuant to the City Charter and Texas Election Code, the City Council of the City of Kyle, Texas, convened on this the 19th day of December 2023, at 5:30 P.M. for the purpose of canvassing the vote in the runoff election held on December 9, 2023;

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 9th day of December, 2023, for the purpose of electing a City Council Member District 4, 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 4			
Claudia Zapata	120	79	199
Lauralee Harris	239	138	377

(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 Lauralee Harris was duly elected to District 4. 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 19th day of December, 2023, 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 and the Texas Election Code.



Travis Mitchell, Mayor

ATTEST:



Jennifer Kirkland, City Secretary

Cumulative Results Report

9 Dec 2023 Run-Off (City of Kyle, SMD #4)

Run Time 3:30 PM

Run Date 12/15/2023

Hays County, Texas

Run-Off Election

12/9/2023

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Official Results

Registered Voters

576 of 10717 = 5.37%

Precincts Reporting

6 of 6 = 100.00%

City of Kyle, City Council, District 4

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Claudia Zapata		8	26.67%	112	34.04%	79	36.41%	199	34.55%
Lauralee Harris		22	73.33%	217	65.96%	138	63.59%	377	65.45%
	Cast Votes:	30	100.00%	329	100.00%	217	100.00%	576	100.00%
	Undervotes:	0		0		0		0	
	Overvotes:	0		0		0		0	

*** End of report ***