

CITY OF KYLE



Notice of Special City Council Meeting

Kyle City Hall, 100 W. Center St., Kyle,
Texas 78640

Notice is hereby given that the governing body of the City of Kyle, Texas will meet at 10:00 AM on June 20, 2016, at Kyle City Hall, 100 W. Center St., Kyle, Texas 78640, for the purpose of discussing the following agenda.

Posted this 14th day of June, 2016, prior to 5:00 PM.

I. Call Meeting To Order

II. Citizen Comment Period with City Council

The City Council welcomes comments from Citizens early in the agenda of special meetings. Those wishing to speak are encouraged to sign in before the meeting begins. Speakers may be provided with an opportunity to speak during this time period on any agenda item or any other matter concerning city business, and they must observe the three-minute time limit.

III. Consider and Possible Action

1. Consider and possible action to adopt a Resolution Canvassing the Returns and Declaring the Results of the June 11, 2016 Runoff Election of the City of Kyle, Texas.
~ R. Todd Webster, Mayor

IV. ADJOURN

At any time during the Regular City Council Meeting, the City Council may adjourn into an Executive Session, as needed, on any item listed on the agenda for which state law authorizes Executive Session to be held

*Per Texas Attorney General Opinion No. JC-0169; Open Meeting & Agenda Requirements, Dated January 24, 2000: The permissible responses to a general member communication at the meeting are limited by 551.042, as follows: "SEC. 551.042. Inquiry Made at Meeting. (a) If, at a meeting of a government body, a member of the public or of the governmental body inquires about a subject for which notice has not been given as required by the subchapter, the notice provisions of this subchapter, do not apply to: (1) a statement of specific factual information given in response to the inquiry; or (2) a recitation of existing policy in response to the inquiry. (b) Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal

to place the subject on the agenda for a subsequent meeting."



CITY OF KYLE, TEXAS

Resolution - Canvassing June 11, 2016 Election

Meeting Date: 6/20/2016

Date time:10:00 AM

Subject/Recommendation: Consider and possible action to adopt a Resolution Canvassing the Returns and Declaring the Results of the June 11, 2016 Runoff Election of the City of Kyle, Texas. ~
R. Todd Webster, Mayor

Other Information:

Legal Notes:

Budget Information:

ATTACHMENTS:

Description

- ☐ Resolution - Canvassing June 11, 2016 Runoff Election

RESOLUTION NO. _____

**A RESOLUTION CANVASSING THE RETURNS AND DECLARING
THE RESULTS OF THE JUNE 11, 2016 RUNOFF ELECTION OF THE
CITY OF KYLE, TEXAS**

WHEREAS, the City Council of the City of Kyle, Texas (City) held a General Election on May 7, 2016 for the purpose of electing two members to the Kyle City Council for a three-year term, specifically City Council Places 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; together with all amendments and additions thereto; and

WHEREAS, it was found that the City Council Place 1 candidates, Diane Hervol and Travis Mitchell received the same number of votes, 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 Saturday, June 11, 2016, for the purpose of electing a Councilmember District 1 and where Travis Mitchell received the majority of votes during the runoff election; 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 June 2016, at 9:00 A.M. for the purpose of canvassing the vote in the runoff election held on June 11, 2016;

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 11th day of June, 2016, for the purpose of electing a Councilmember for Districts 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>
COUNCIL DISTRICT 1			
Diane Hervol	371	138	509
Travis Mitchell	461	261	722

(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 Travis Mitchell was duly elected to Councilmember 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 June, 2016, 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.

R. Todd Webster, Mayor

ATTEST:

Jennifer A. Vetrano, City Secretary