

RESOLUTION NO. _____

A RESOLUTION CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE MAY 4, 2019 SPECIAL ELECTION OF THE CITY OF KYLE, TEXAS

WHEREAS, the City Council of the City of Kyle, Texas (City) held a Special Election on May 4, 2019 for the purpose of electing one member to the Kyle City Council for an unexpired term, specifically a City Council Place 3; and

WHEREAS, the names of the candidates and the propositions 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 persons herein named received the following votes for said term of office on the Kyle City Council of the City of Kyle, Texas; and

WHEREAS, pursuant to the City Charter and Texas Election Code, the City Council of the City of Kyle, Texas, convened on this the 14th day of May, 2019, at 6:15 P.M. for the purpose of canvassing the vote in the special election held on May 4, 2019;

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

Section One. Canvass of Vote – General Election.

(a) There came to be considered the returns of the general election held on the 6th day of November, 2018, for the purpose of electing Council Members for Districts 5 and 6, and it appearing from said returns duly and legally made; that each of the candidates in said election received the following votes:

COUNCIL BY PLACE:	VOTES CAST		
	EARLY	ELECTION DAY	TOTAL
COUNCIL DISTRICT 3			
Robert Rizo	194	107	301
Cody DeSalvo	33	23	56
Michelle R. Carey	42	9	51
Stuart Kirkwood	116	57	173

(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 Robert Rizo was duly elected to Council District 3. 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. Severability Clause. 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. Effective Date. This Resolution will become effective immediately upon its passage by the Kyle City Council.

PASSED AND ADOPTED this _____ day of _____, 2019.

THE CITY OF KYLE, TEXAS

Travis Mitchell, Mayor

ATTEST:

Jennifer A. Vetrano, City Secretary