

CITY OF KYLE

Notice of Special City Council Meeting



<https://meetings.ringcentral.com/j/1499626596>

SPECIAL NOTE: Pursuant to the March 16, 2020 proclamation issued by Governor Abbott, this meeting will be held by videoconference in order to advance the public health goal of limiting face-to-face meetings (also called 'social distancing') to slow the spread of COVID-19. City Council members will attend the meeting via videoconferencing. This meeting can be viewed live online at <https://meetings.ringcentral.com/j/1499626596>.

Notice is hereby given that the governing body of the City of Kyle, Texas will meet at 6:45 PM on November 10, 2020, at <https://meetings.ringcentral.com/j/1499626596>, for the purpose of discussing the following agenda.

Posted this 6th day of November, 2020, prior to 6:00 p.m.

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.

1. Members of the public that wish to provide citizen comment have the following options:
 1. In-Person at Kyle City Hall
 2. Virtual Attendance - Submit the online registration form found at: <https://www.cityofkyle.com/council/citizen-comment-sign>. Registration must be received by 12 p.m. on the day of the meeting.

III. Consider and Possible Action

2. A Resolution Canvassing the Returns and Declaring the Results of the November 3, 2020 General and Special Election - Charter Amendments of the City of Kyle, Texas.
~ Travis Mitchell, Mayor

3. *(First Reading)* An Ordinance by the City Council of the City of Kyle, Texas Canvassing the Returns and Declaring the Results of a Bond Election Held November 3, 2020, and Containing Provisions Necessary and Incidental Thereto. ~ *Travis Mitchell, Mayor*
4. A Resolution of the City of Kyle, Texas, Calling a Runoff Election on Tuesday, December 8, 2020, for the Purpose of Electing a Mayor; Providing for Early Voting and for Notice of the Election; and Providing for Other Matters Relating to the Election and Setting an Effective Date. ~ *Travis Mitchell, Mayor*

IV. Executive Session

5. Pursuant to Chapter 551, Texas Government Code, the City Council reserves the right to convene into Executive Session(s) from time to time as deemed necessary during this meeting. The City Council may convene into Executive Session pursuant to any lawful exception contained in Chapter 551 of the Texas Government Code including any or all of the following topics.
 1. Pending or contemplated litigation or to seek the advice of the City Attorney pursuant to Section 551.071.
 2. Possible purchase, exchange, lease, or value of real estate pursuant to Section 551.072.
 3. Personnel matters pursuant to Section 551.074.
 4. Convene into executive session pursuant to Section 551.087, Texas Government Code, to deliberate regarding the offer of economic incentives to one or more business prospects that the City seeks to have locate, stay, or expand in or near the City.
6. Take action on items discussed in Executive Session.

V. Adjourn

*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

Election Canvass

Meeting Date: 11/10/2020

Date time:6:45 PM

Subject/Recommendation: A Resolution Canvassing the Returns and Declaring the Results of the November 3, 2020 General and Special Election - Charter Amendments of the City of Kyle, Texas.
~ *Travis Mitchell, Mayor*

Other Information:

Legal Notes:

Budget Information:

ATTACHMENTS:

Description

- 2020 1103 Canvass Resolution
- OFFICIAL Results

RESOLUTION NO. _____

A RESOLUTION CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE NOVEMBER 3, 2020 GENERAL AND SPECIAL ELECTIONS OF THE CITY OF KYLE, TEXAS

WHEREAS, the City Council of the City of Kyle, Texas (City) held a General Election on November 3, 2020 for the purpose of electing three members to the Kyle City Council, each for three-year terms, specifically a Mayor, a City Council Place 2 and a City Council Place 4; and

WHEREAS, a special election was held in the City of Kyle to vote on Home Rule Charter Amendments; 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 10th day of November, 2020, at 6:45 P.M. for the purpose of canvassing the vote in the general election held on November 3, 2020;

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 3rd day of November, 2020, for the purpose of electing a Mayor and Council Members for Districts 2 and 4, 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
MAYOR			
Travis Mitchell	5,172	623	5,795
Linda Tenorio	5,170	661	5,831
Dave Abdel	2,209	202	2,411
Peter Parcher	1,257	122	1,379
COUNCIL DISTRICT 2			
Yvonne Flores-Cale	2,457	347	2,804
Tracy Scheel	1,619	175	1,794

COUNCIL DISTRICT 4

Tim McHutchion	1,843	195	2,038
Ashlee Bradshaw	2,873	306	3,179

(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 Yvonne Flores-Cale was duly elected to Council District 2; and that Ashlee Bradshaw was duly elected to Council District 4. Said above named parties are hereby declared duly elected to said offices, subject to the taking of the oath of office as provided by the laws of the State of Texas.

(c) In accordance with the Constitution and the Texas Election Code, a Municipal Runoff Election is hereby called and ordered for Tuesday, December 8, 2020, at which election all qualified voters of the City may vote for the purpose of electing a mayor. The candidates for such runoff election shall be Travis Mitchell and Linda Tenorio, the two candidates in the general election who received the most votes.

Section Two. Canvass of Vote – Special Election.

(a) There came to be considered the returns of the special election held on the 3rd day of November, 2020, pursuant to Chapter 9, Tex. Loc. Gov’t. Code, for the purpose of voting on the following propositions to amend the City Charter; and it appearing from the returns of said special election, duly and legally made, that each proposition received the following votes cast “FOR” the proposition submitted, and “AGAINST” the proposition submitted.

<u>PROPOSITION:</u>	<u>VOTES CAST:</u>		
	<u>Early</u>	<u>Election Day</u>	<u>Total</u>
PROPOSITION NO. C¹			
FOR	10,264	1,121	11,385
AGAINST	3,387	473	3,860
PROPOSITION NO. D²			
FOR	12,540	1,393	13,933
AGAINST	1,429	232	1,661

¹ Shall Article I, Section 1.07, and Article II, Section 2.01, of the City Charter be amended to require consent to annexation of land by the City as required by state law and to conform annexation and disannexation procedures to state law?

² Shall Article V, Section 5.06 of the City Charter be amended to provide that the election precincts for City elections are those established by ordinance or state law and to provide that City Hall may be one of the polling places during City elections?

PROPOSITION NO. E³

FOR	9,351	1,051	10,402
AGAINST	3,999	497	4,496

PROPOSITION NO. F⁴

FOR	10,780	1,251	12,031
AGAINST	3,248	366	3,614

PROPOSITION NO. G⁵

FOR	8,888	957	9,845
AGAINST	4,532	589	5,121

(b) It is found, determined and declared by the City Council that said special election was duly called; that notice of said special election was given in accordance with law, returns of the election have been lawfully made by the proper officials, and that said election was held in accordance with law. Of each of the above-stated propositions, being submitted to only qualified, resident electors of the City for vote, Propositions C, D, E, F, and G resulted in more than a majority of the qualified votes voting at the election having voted to pass the proposition by the number of votes described in Section 2(a).

(c) As approved and adopted by a majority of the qualified voters voting at such election the City of Kyle Home Rule Charter shall be amended as provided in the approved propositions and the ordinance calling the charter amendment election, and it is hereby declared that said amendments to the City of Kyle Home Rule Charter, as fully set out in the ordinance calling said charter amendment election, are hereby adopted.

Section Three. Filing with the Secretary of State. The City Manager, the City Secretary, and the City Attorney of the city are hereby directed to do and perform the tasks and responsibilities necessary and required to file a copy of the City Charter with the Secretary of the State of Texas.

Section Four. 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

³ Shall Article VI, Section 6.15 (Non-binding Ballot Propositions) be added to the City Charter to authorize the City Council to call elections on ballot propositions that are non-binding in nature when the council wishes to obtain an informal indication of the city's voters on an issue?

⁴ Shall Article VII, Section 7.06 of the City Charter be amended to provide that police department procedures and policies shall be subject to review and modification by the City Council, to require the Police Chief to provide the City Council with an annual report about police department operations, and to provide for the City Council to establish a committee with oversight over standard operating policies and strategies, data sharing, and use of resources of the police department for the purpose of promoting public safety, transparency, and crime reduction through community policing models?

⁵ Shall Section 13.11 (Non-substantive Revisions) of the City Charter be added to grant the City Council authority to make non-substantive revisions to the City Charter for numbering, spelling, grammar, cross-references, and punctuation without obtaining separate approval of the voters in a Charter amendment election?

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 Five. Effective Date. This Resolution will become effective immediately upon its passage by the Kyle City Council.

PASSED AND ADOPTED this _____ day of _____, 2020.

THE CITY OF KYLE, TEXAS

Travis Mitchell, Mayor

ATTEST:

Jennifer Holm, City Secretary

Nov. 3 2020 General Election

General Election

Registered Voters

17903 of 153614 = 11.65%

Run Time 9:20 PM

11/3/2020

Precincts Reporting

77 of 77 = 100.00%

Run Date 11/09/2020

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City of Kyle, Mayor - Vote for none or one.

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Travis Mitchell		519	40.20%	4,654	37.17%	643	38.73%	5,816	37.59%
Linda Tenorio		477	36.95%	4,697	37.51%	684	41.20%	5,858	37.86%
Dave Abdel		183	14.18%	2,026	16.18%	204	12.29%	2,413	15.59%
Peter Parcher		112	8.68%	1,145	9.14%	129	7.77%	1,386	8.96%
Cast Votes:		1,291	100.00%	12,522	100.00%	1,660	100.00%	15,473	100.00%
Undervotes:		173		1,927		326		2,426	
Overvotes:		0		0		0		0	

City of Kyle, Single Member District 2 - Vote for none or one.

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Yvonne Flores-Cale		190	58.10%	2,267	60.47%	361	65.88%	2,818	60.94%
Tracy Scheel		137	41.90%	1,482	39.53%	187	34.12%	1,806	39.06%
Cast Votes:		327	100.00%	3,749	100.00%	548	100.00%	4,624	100.00%
Undervotes:		108		1,266		198		1,572	
Overvotes:		0		0		0		0	

City of Kyle, Single Member District 4 - Vote for none or one.

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Tim McHutchion		211	41.78%	1,632	38.73%	200	39.06%	2,043	39.06%
Ashlee Bradshaw		294	58.22%	2,582	61.27%	312	60.94%	3,188	60.94%
Cast Votes:		505	100.00%	4,214	100.00%	512	100.00%	5,231	100.00%
Undervotes:		172		1,132		128		1,432	
Overvotes:		0		0		0		0	

City of Kyle Proposition A - Vote for or against.

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
For		803	58.19%	7,437	55.08%	1,027	56.77%	9,267	55.52%
Against		577	41.81%	6,064	44.92%	782	43.23%	7,423	44.48%
Cast Votes:		1,380	100.00%	13,501	100.00%	1,809	100.00%	16,690	100.00%
Undervotes:		68		948		177		1,193	
Overvotes:		0		0		0		0	

Nov. 3 2020 General Election

General Election

Registered Voters

17903 of 153614 = 11.65%

Precincts Reporting

77 of 77 = 100.00%

Run Time 9:20 PM

11/3/2020

Run Date 11/09/2020

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City of Kyle Proposition B - Vote for or against.

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
For		692	50.99%	7,508	56.58%	1,031	57.86%	9,231	56.26%
Against		665	49.01%	5,762	43.42%	751	42.14%	7,178	43.74%
Cast Votes:		1,357	100.00%	13,270	100.00%	1,782	100.00%	16,409	100.00%
Undervotes:		91		1,179		204		1,474	
Overvotes:		0		0		0		0	

City of Kyle, Charter Amendment, Proposition C - Annexation - Vote yes or no.

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Yes		1,054	79.67%	9,218	74.72%	1,162	70.51%	11,434	74.70%
No		269	20.33%	3,118	25.28%	486	29.49%	3,873	25.30%
Cast Votes:		1,323	100.00%	12,336	100.00%	1,648	100.00%	15,307	100.00%
Undervotes:		125		2,113		338		2,576	
Overvotes:		0		0		0		0	

City of Kyle, Charter Amendment, Proposition D - Election Precincts and Polling Places - Vote yes or no.

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Yes		1,249	92.59%	11,300	89.48%	1,442	85.88%	13,991	89.36%
No		100	7.41%	1,329	10.52%	237	14.12%	1,666	10.64%
Cast Votes:		1,349	100.00%	12,629	100.00%	1,679	100.00%	15,657	100.00%
Undervotes:		99		1,820		307		2,226	
Overvotes:		0		0		0		0	

City of Kyle, Charter Amendment, Proposition E - Council-Initiated Non-Binding Ballot Propositions - Vote yes or no.

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Yes		940	70.68%	8,417	69.98%	1,091	68.19%	10,448	69.85%
No		390	29.32%	3,611	30.02%	509	31.81%	4,510	30.15%
Cast Votes:		1,330	100.00%	12,028	100.00%	1,600	100.00%	14,958	100.00%
Undervotes:		118		2,421		386		2,925	
Overvotes:		0		0		0		0	

Nov. 3 2020 General Election

General Election

Registered Voters

17903 of 153614 = 11.65%

Precincts Reporting

77 of 77 = 100.00%

Run Time 9:20 PM

11/3/2020

Run Date 11/09/2020

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City of Kyle, Charter Amendment, Proposition F - Police Department Oversight - Vote yes or no.

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Yes		1,093	81.20%	9,694	76.38%	1,301	77.72%	12,088	76.94%
No		253	18.80%	2,997	23.62%	373	22.28%	3,623	23.06%
Cast Votes:		1,346	100.00%	12,691	100.00%	1,674	100.00%	15,711	100.00%
Undervotes:		102		1,758		312		2,172	
Overvotes:		0		0		0		0	

City of Kyle, Charter Amendment, Proposition G - Non-Substantive - Vote yes or no.

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Yes		916	69.82%	7,979	65.85%	998	62.41%	9,893	65.83%
No		396	30.18%	4,138	34.15%	601	37.59%	5,135	34.17%
Cast Votes:		1,312	100.00%	12,117	100.00%	1,599	100.00%	15,028	100.00%
Undervotes:		136		2,332		387		2,855	
Overvotes:		0		0		0		0	

*** End of report ***



CITY OF KYLE, TEXAS

Election Canvass - Bonds

Meeting Date: 11/10/2020

Date time:6:45 PM

Subject/Recommendation: *(First Reading)* An Ordinance by the City Council of the City of Kyle, Texas Canvassing the Returns and Declaring the Results of a Bond Election Held November 3, 2020, and Containing Provisions Necessary and Incidental Thereto. ~ *Travis Mitchell, Mayor*

Other Information:

Legal Notes:

Budget Information:

ATTACHMENTS:

Description

- Ordinance Canvassing Bond Election
- OFFICIAL Results
- Certificate for Ordinance - Ordinance Canvassing Bond Election - Kyle 2020 (01286927x7A30F)

ORDINANCE NO. _____

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF KYLE, TEXAS CANVASSING THE RETURNS AND DECLARING THE RESULTS OF A BOND ELECTION HELD NOVEMBER 3, 2020, AND CONTAINING PROVISIONS NECESSARY AND INCIDENTAL THERETO

WHEREAS, on August 17, 2020, the City Council (the “Council”) of Kyle, Texas (the “City”) called a special election (the “Election”) to be held on November 3, 2020, to authorize the approval by voters in the City of general obligation bonds for the purpose of planning, designing, constructing, improving and equipping a public safety facility and planning, designing constructing, improving, equipping and acquisition of real property for parks in the city; and

WHEREAS, the Council has reviewed and investigated all matters pertaining to this Election, including the calling, notices, election officers, holding and returns thereof, and

WHEREAS, the Council hereby canvasses the returns of this Election, at which there was submitted to all resident, qualified voters of the City for their action thereupon, the following propositions:

City of Kyle Proposition A

“SHALL the City Council of the City of Kyle, Texas be authorized to issue general obligation bonds of said City in an amount not to exceed \$37,000,000 for the purpose of planning, designing, constructing, improving and equipping a public safety facility, specifically a new police station and emergency operations center in the City, and other costs related thereto; such bonds to mature serially or otherwise over a period not to exceed thirty (30) years from their date, to be issued and sold in one or more series at any price or prices and to bear interest at any rate or rates (fixed, floating, variable or otherwise and not exceed the maximum rate prescribed by law) as shall be determined within the discretion of the City Council at the time of issuance or sale of the bonds; and whether ad valorem taxes shall be levied upon all taxable property in the City sufficient to pay the annual interest and provide a sinking fund to pay the bonds at maturity?”

City of Kyle Proposition B

“SHALL the City Council of the City of Kyle, Texas be authorized to issue general obligation bonds of said City in an amount not to exceed \$10,000,000 for the planning, designing, constructing, improving and equipping of, and acquisition of real property for, parks in the city; such bonds to mature serially or otherwise over a period not to exceed thirty (30) years from their date, to be issued and sold in one or more series at any price or prices and to bear interest at any rate or rates (fixed, floating, variable or otherwise and not exceed the maximum rate prescribed by law) as shall be determined within the discretion of the City Council at the time of

issuance or sale of the bonds; and whether ad valorem taxes shall be levied upon all taxable property in the City sufficient to pay the annual interest and provide a sinking fund to pay the bonds at maturity?"

WHEREAS, the Council has diligently inquired into the poll lists and the official election returns which were duly and lawfully made available to the Council by the election officials holding and conducting such Election; and the official election returns showing separately the votes cast in the Election; and

WHEREAS, from these returns, the Council hereby finds that the following votes were cast in the Election by voters who were resident, qualified voters of the City as indicated on the official election results, which are attached as Exhibit "A" to this Ordinance, the totals of which are included below:

CITY OF KYLE PROPOSITION A

THE ISSUANCE OF GENERAL OBLIGATION BONDS IN THE PRINCIPAL AMOUNT NOT TO EXCEED \$37,000,000 FOR THE PURPOSE OF PLANNING, DESIGNING, CONSTRUCTING, IMPROVING AND EQUIPPING OF A PUBLIC SAFETY FACILITY, SPECIFICALLY A NEW POLICE STATION AND EMERGENCY OPERATIONS CENTER; AND THE LEVY OF A TAX IN PAYMENT THEREOF.

TOTAL 9,225 FOR 7,401 AGAINST

CITY OF KYLE PROPOSITION B

THE ISSUANCE OF GENERAL OBLIGATION BONDS IN THE PRINCIPAL AMOUNT NOT TO EXCEED \$10,000,000 FOR THE PLANNING, DESIGNING, CONSTRUCTING, IMPROVING AND EQUIPPING OF, AND ACQUISITION OF REAL PROPERTY FOR, PARKS IN THE CITY; AND THE LEVY OF A TAX IN PAYMENT THEREOF.

TOTAL 9,190 FOR 7,154 AGAINST

WHEREAS, the election was called and held in all respects under and in strict conformity with the Constitution and laws of the State of Texas and the United States of America;

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

Section 1. Preamble Incorporation. The matters and facts recited in the preamble of this Ordinance are found to be true and correct.

Section 2. Special Election; Returns; Canvass. The Council officially finds, determines, and declares that the Election was duly and properly conducted, that proper legal notice of such Election was duly given in the English and Spanish languages (to the extent required by law), that proper election officers were duly appointed prior to the Election; that the Election was duly and legally held, that all resident, qualified voters of the City were permitted to vote at the Election, that the returns of the results of the Election have been made and delivered, and that the Council has duly canvasses such returns, all in accordance with the laws of the State of Texas and of the United States of America, and the Ordinance calling the Election.

Section 3. Special Election Results for the Propositions.

Proposition A. A majority of the resident, qualified voters of the City voting in such Election, have voted FOR Proposition A, the authorization and issuance of an amount not to exceed \$37,000,000 for the purpose of planning, designing, constructing, improving and equipping of a public safety facility, specifically a new police station and emergency operations center; and the levy of a tax in payment thereof.

Proposition B. A majority of the resident qualified voters of the City voting in such Election have voted FOR Proposition B, the authorization and issuance of an amount not to exceed \$10,000,000 for the planning, designing, constructing, improving and equipping of, and acquisition of real property for, parks in the city; and the levy of a tax in payment thereof.

The Council hereby finds and determines that the Election was duly called, that proper notice was given, that the Election was held in all aspects in conformity with the law, that the Propositions did carry at the Election, and that the City is accordingly authorized to issue and sell the bonds in accordance with the authority granted in the Proposition and with the law.

Section 4. Inconsistent Provisions. All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters ordered herein.

Section 5. Governing Law. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 6. Notice of Meeting. It is hereby found that the meeting at which this Ordinance has been considered and adopted is open to the public as required by law, and that written notice of the time, place and subject matter of said meeting, and of the proposed adoption of this Ordinance was given as required by Chapter 551, Texas Government Code.

Section 7. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the Council hereby declares that this Ordinance would have been enacted without such provision.

Section 8. Authorization to Execute. The Mayor is authorized to execute, and the City Secretary is authorized to attest this Ordinance on behalf of the Council; and the Mayor is authorized to do all other things legal and necessary in connection with the holding and consummation of the Election.

Section 9. Effective Date. This Ordinance will become effective immediately upon its passage and approval.

PASSED AND APPROVED this the 17th day of November 2020.

THE CITY OF KYLE, TEXAS

Travis Mitchell, Mayor

ATTEST:

Jennifer Holm, City Secretary

[CITY SEAL]

Exhibit A
Official Results

Nov. 3 2020 General Election

General Election

Registered Voters

17903 of 153614 = 11.65%

Run Time 9:20 PM

11/3/2020

Precincts Reporting

77 of 77 = 100.00%

Run Date 11/09/2020

Page 1

City of Kyle, Mayor - Vote for none or one.

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Travis Mitchell		519	40.20%	4,654	37.17%	643	38.73%	5,816	37.59%
Linda Tenorio		477	36.95%	4,697	37.51%	684	41.20%	5,858	37.86%
Dave Abdel		183	14.18%	2,026	16.18%	204	12.29%	2,413	15.59%
Peter Parcher		112	8.68%	1,145	9.14%	129	7.77%	1,386	8.96%
Cast Votes:		1,291	100.00%	12,522	100.00%	1,660	100.00%	15,473	100.00%
Undervotes:		173		1,927		326		2,426	
Overvotes:		0		0		0		0	

City of Kyle, Single Member District 2 - Vote for none or one.

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Yvonne Flores-Cale		190	58.10%	2,267	60.47%	361	65.88%	2,818	60.94%
Tracy Scheel		137	41.90%	1,482	39.53%	187	34.12%	1,806	39.06%
Cast Votes:		327	100.00%	3,749	100.00%	548	100.00%	4,624	100.00%
Undervotes:		108		1,266		198		1,572	
Overvotes:		0		0		0		0	

City of Kyle, Single Member District 4 - Vote for none or one.

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Tim McHutchion		211	41.78%	1,632	38.73%	200	39.06%	2,043	39.06%
Ashlee Bradshaw		294	58.22%	2,582	61.27%	312	60.94%	3,188	60.94%
Cast Votes:		505	100.00%	4,214	100.00%	512	100.00%	5,231	100.00%
Undervotes:		172		1,132		128		1,432	
Overvotes:		0		0		0		0	

City of Kyle Proposition A - Vote for or against.

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
For		803	58.19%	7,437	55.08%	1,027	56.77%	9,267	55.52%
Against		577	41.81%	6,064	44.92%	782	43.23%	7,423	44.48%
Cast Votes:		1,380	100.00%	13,501	100.00%	1,809	100.00%	16,690	100.00%
Undervotes:		68		948		177		1,193	
Overvotes:		0		0		0		0	

Nov. 3 2020 General Election

General Election

Registered Voters

17903 of 153614 = 11.65%

Precincts Reporting

77 of 77 = 100.00%

Run Time 9:20 PM

11/3/2020

Run Date 11/09/2020

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City of Kyle Proposition B - Vote for or against.

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
For		692	50.99%	7,508	56.58%	1,031	57.86%	9,231	56.26%
Against		665	49.01%	5,762	43.42%	751	42.14%	7,178	43.74%
Cast Votes:		1,357	100.00%	13,270	100.00%	1,782	100.00%	16,409	100.00%
Undervotes:		91		1,179		204		1,474	
Overvotes:		0		0		0		0	

City of Kyle, Charter Amendment, Proposition C - Annexation - Vote yes or no.

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Yes		1,054	79.67%	9,218	74.72%	1,162	70.51%	11,434	74.70%
No		269	20.33%	3,118	25.28%	486	29.49%	3,873	25.30%
Cast Votes:		1,323	100.00%	12,336	100.00%	1,648	100.00%	15,307	100.00%
Undervotes:		125		2,113		338		2,576	
Overvotes:		0		0		0		0	

City of Kyle, Charter Amendment, Proposition D - Election Precincts and Polling Places - Vote yes or no.

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Yes		1,249	92.59%	11,300	89.48%	1,442	85.88%	13,991	89.36%
No		100	7.41%	1,329	10.52%	237	14.12%	1,666	10.64%
Cast Votes:		1,349	100.00%	12,629	100.00%	1,679	100.00%	15,657	100.00%
Undervotes:		99		1,820		307		2,226	
Overvotes:		0		0		0		0	

City of Kyle, Charter Amendment, Proposition E - Council-Initiated Non-Binding Ballot Propositions - Vote yes or no.

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Yes		940	70.68%	8,417	69.98%	1,091	68.19%	10,448	69.85%
No		390	29.32%	3,611	30.02%	509	31.81%	4,510	30.15%
Cast Votes:		1,330	100.00%	12,028	100.00%	1,600	100.00%	14,958	100.00%
Undervotes:		118		2,421		386		2,925	
Overvotes:		0		0		0		0	

Nov. 3 2020 General Election

General Election

Registered Voters

17903 of 153614 = 11.65%

Precincts Reporting

77 of 77 = 100.00%

Run Time 9:20 PM

11/3/2020

Run Date 11/09/2020

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City of Kyle, Charter Amendment, Proposition F - Police Department Oversight - Vote yes or no.

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Yes		1,093	81.20%	9,694	76.38%	1,301	77.72%	12,088	76.94%
No		253	18.80%	2,997	23.62%	373	22.28%	3,623	23.06%
Cast Votes:		1,346	100.00%	12,691	100.00%	1,674	100.00%	15,711	100.00%
Undervotes:		102		1,758		312		2,172	
Overvotes:		0		0		0		0	

City of Kyle, Charter Amendment, Proposition G - Non-Substantive - Vote yes or no.

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Yes		916	69.82%	7,979	65.85%	998	62.41%	9,893	65.83%
No		396	30.18%	4,138	34.15%	601	37.59%	5,135	34.17%
Cast Votes:		1,312	100.00%	12,117	100.00%	1,599	100.00%	15,028	100.00%
Undervotes:		136		2,332		387		2,855	
Overvotes:		0		0		0		0	

*** End of report ***

CERTIFICATE OF ORDINANCE

**THE STATE OF TEXAS §
COUNTY OF HAYS §
CITY OF KYLE §**

I, the undersigned City Secretary of said City, hereby certify as follows:

1. The City Council of said City (the "City Council") convened in a Special Meeting on November 10, 2020, at the City Council Chambers, City Hall, 100 W. Center Street, Kyle, Texas, and the roll was called of the duly constituted officers and members of said City Council, to-wit:

Travis Mitchell	Mayor
Rick Koch	Council Member District 5/Mayor Pro Tem
Dex Ellison	Council Member District 1
Tracy Scheel	Council Member District 2
Robert Rizo	Council Member District 3
Alex Villalobos	Council Member District 4
Michael Tobias	Council Member District 6

and all of said persons were present, except for the following:_____; thus constituting a quorum. Whereupon, among other business, the following was transacted at said meeting: a written Ordinance entitled

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF KYLE, TEXAS CANVASSING THE RETURNS AND DECLARING THE RESULTS OF A BOND ELECTION HELD NOVEMBER 3, 2020, AND CONTAINING PROVISIONS NECESSARY AND INCIDENTAL THERETO

(the "Ordinance") was duly introduced for the consideration of said City Council. It was then duly moved and seconded that said Ordinance be passed; and, after due discussion, said motion, carrying with it the passage of said Ordinance, prevailed and carried by the following vote:

AYES: —

NOES: —

ABSTENTIONS: —

2. A true, full and correct copy of the aforesaid Ordinance passed at the meeting described in the above and foregoing paragraph is attached to and follows this Certificate; said Ordinance has been duly recorded in the official minutes of said City Council; the above and foregoing paragraph is a true, full and correct excerpt from said minutes of said meeting pertaining to the passage of said Ordinance; the persons named in the above and foregoing paragraph, at the time of said meeting and the passage of said Ordinance, were the duly chosen, qualified and acting officers and members of said City Council as indicated therein; each of said officers and members was duly and sufficiently notified officially and personally in advance, of the time, place and purpose of the aforesaid meeting and that said Ordinance would be introduced and considered for passage at said meeting, and each of said officers and members consented in advance to the holding of said meeting for such purpose; and said meeting was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

SIGNED AND SEALED this _____ of November, 2020.

City Secretary
City of Kyle, Texas

[CITY SEAL]



CITY OF KYLE, TEXAS

Calling Runoff Election

Meeting Date: 11/10/2020

Date time:6:45 PM

Subject/Recommendation: A Resolution of the City of Kyle, Texas, Calling a Runoff Election on Tuesday, December 8, 2020, for the Purpose of Electing a Mayor; Providing for Early Voting and for Notice of the Election; and Providing for Other Matters Relating to the Election and Setting an Effective Date. ~ *Travis Mitchell, Mayor*

Other Information:

Legal Notes:

Budget Information:

ATTACHMENTS:

Description

- ☐ Resolution Calling Runoff Election

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF KYLE, TEXAS, CALLING A RUNOFF ELECTION ON TUESDAY, DECEMBER 8, 2020, FOR THE PURPOSE OF ELECTING A MAYOR; PROVIDING FOR EARLY VOTING AND FOR NOTICE OF THE ELECTION; AND PROVIDING FOR OTHER MATTERS RELATING TO THE ELECTION AND SETTING AN EFFECTIVE DATE.

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, under Section 5.02 of the Kyle City Charter, the mayor and council members shall be elected by majority vote; and

WHEREAS, not later than the fifth day after the date the final canvass of the main election is completed, the City Council must order the runoff election (Texas Election Code §2.024); and,

WHEREAS, the runoff election must be held not earlier than the 20th or later than the 45th day after the date the final canvass of the main election is completed (Texas Election Code §2.025); and,

WHEREAS, the Mayor has certified to the City Secretary that the candidates for Mayor, Travis Mitchell and Linda Tenorio be placed on the ballot for the runoff election (Texas Election Code §2.027); and

WHEREAS, the City has contracted with the Hays County Elections Administrator to conduct the City's runoff election, pursuant to *Chapter 31, Tex. Elec. Code* (the "Election Services Agreement);

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

Section 1. In accordance with the Constitution and general laws of the State of Texas, a Municipal Runoff Election is hereby called and ordered for Tuesday, December 8, 2020, at which election all qualified voters of the City may vote for the purpose of electing the following official of the City: Mayor.

Section 2. The candidates for such runoff election shall be Travis Mitchell and Linda Tenorio, the candidates in the general election receiving highest and second highest number of votes for Mayor.

Section 3. The polling places for the voting location in the City of Kyle for the Election Day voting shall be Kyle City Hall located at 100 W. Center Street Kyle, Texas 78640; Kyle Fire Station No. 2 located at 150 Bunton Creek Rd, Kyle, TX 78640; and Hays County Precinct 2 located at 5458 FM2770, Kyle, TX 78640 from 7:00 a.m. – 7:00 p.m.

Section 4. The Elections Administrator of Hays County, Texas, shall act as Contracting Officer (the "Contracting Officer") and shall appoint election judges, alternate judges, and clerks as described in the Election Services Agreement between Hays County and the City of Kyle, Texas.

Section 5. The Elections Administrator of Hays County, Texas, shall receive applications by mail for a ballot to be voted by mail, until the close of business on Friday, November 27, 2020 at 5:00 p.m. (received in office, not post marked). Requests for applications should be mailed to Jennifer Anderson, Hays County Elections Administrator, Hays County Elections Division, 712 South Stagecoach Trail #1012, San Marcos, TX 78666.

Section 6. The dates and times for early voting by personal appearance shall be as follows at the locations below:

Kyle City Hall

100 W. Center Street, Kyle, TX 78640

Kyle Fire Station No. 2

150 Bunton Creek Rd, Kyle, TX 78640

Hays County Precinct 2

5458 FM2770, Kyle, TX 78640

Thursday, Nov. 26, 2020 —	<i>(Polls Closed for Thanksgiving Holidays)</i>
Friday, Nov. 27, 2020	
Saturday, November 28, 2020	10:00 a.m. - 2:00 p.m.
Sunday, November 29, 2020	12:00 p.m. - 4:00 p.m.
Monday, November 30, 2020 —	8:00 a.m. to 5 p.m.
Thursday, December 3, 2020	
Friday, December 4, 2020	6:00 a.m. - 6:00 p.m.

Section 7. Such election shall be held in accordance with the Texas Election Code and only resident qualified voters of the City shall be eligible to vote.

Section 8. Notice of the election shall be given as provided by law.

Section 9. Voting at the election, including early voting, shall be by use of the County electronic voting system that has been duly approved by the Secretary of State.

Section 10. The Hays County Elections Administrator and his/her employees and appointees, and the election judges, alternate judges and clerks properly appointed for the election, shall hold and conduct the election for the City pursuant to the Election Services Agreement. The runoff election shall be held and conducted by the Hays County Elections Administrators in compliance with the *Tex. Elec. Code* and, to the extent not inconsistent therewith, the *City Charter*. The Elections Administrator is hereby authorized and instructed to provide and furnish all necessary election supplies to conduct said election.

Section 11. The City Secretary is hereby authorized and instructed to aide the Hays County Elections Administrator in the acquisition and furnishing of all election supplies and materials necessary to conduct the runoff election. The City Secretary is further authorized to assist with the giving of

notices required for the election, and to take such other and further action as is required to conduct the election in compliance with the *Texas Election Code*; provided that, pursuant to the Election Services Agreement, the Williamson County Elections Administrators shall have the duty and be responsible for organizing and conducting the election in compliance with the *Texas Election Code*; and for providing all services specified to be provided in the Election Services Agreement.

Section 12. That the returns of said election be made in accordance with the State Election Code and shall be canvassed by the City Council at a City Council Meeting.

Section 13. The Mayor is authorized to sign an Order of Election and a Notice of Runoff Municipal Election prescribed by the State of Texas on behalf of the City Council. The Notice of Runoff Municipal Election shall be published in accordance with the provisions of the Texas Election Code.

Section 14. Should any part, section, subsection, paragraph, sentence, clause or phrase contained in this resolution be held to be unconstitutional or of no force and effect, such holding shall not affect the validity of the remaining portion of this resolution, but in all respects said remaining portion shall be and remain in full force and effect.

Section 15. That this resolution shall be effective immediately upon adoption.

PASSED AND APPROVED this 10th day of November, 2020.

Travis Mitchell, Mayor

ATTEST:

Jennifer Holm, City Secretary



CITY OF KYLE, TEXAS

Executive Session - Convene

Meeting Date: 11/10/2020

Date time:6:45 PM

Subject/Recommendation: Pursuant to Chapter 551, Texas Government Code, the City Council reserves the right to convene into Executive Session(s) from time to time as deemed necessary during this meeting. The City Council may convene into Executive Session pursuant to any lawful exception contained in Chapter 551 of the Texas Government Code including any or all of the following topics.

1. Pending or contemplated litigation or to seek the advice of the City Attorney pursuant to Section 551.071.
2. Possible purchase, exchange, lease, or value of real estate pursuant to Section 551.072.
3. Personnel matters pursuant to Section 551.074.
4. Convene into executive session pursuant to Section 551.087, Texas Government Code, to deliberate regarding the offer of economic incentives to one or more business prospects that the City seeks to have locate, stay, or expand in or near the City.

Other Information:

Legal Notes:

Budget Information:

ATTACHMENTS:

Description

No Attachments Available



CITY OF KYLE, TEXAS

Reconvene

Meeting Date: 11/10/2020
Date time:6:45 PM

Subject/Recommendation: Take action on items discussed in Executive Session.

Other Information:

Legal Notes:

Budget Information:

ATTACHMENTS:

Description

No Attachments Available