

# CITY OF KYLE

## Notice of Special City Council Meeting

Kyle City Hall, 100 W. Center Street, Kyle, TX 78640;  
Spectrum 10; <https://www.cityofkyle.com/kyletv/kyle-10-live>



SPECIAL NOTE: Pursuant to the March 16, 2020 proclamation issued by Governor Abbott, this meeting will be held in-person and 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. Some City Council members will be present in the chamber while others will attend the meeting via videoconferencing. This meeting can be viewed live online at <https://www.cityofkyle.com/kyletv/kyle-10-live> OR Spectrum10.

Notice is hereby given that the governing body of the City of Kyle, Texas will meet at 5:00 PM on December 15, 2020, at Kyle City Hall, 100 W. Center Street, Kyle, TX 78640; Spectrum 10; <https://www.cityofkyle.com/kyletv/kyle-10-live>, for the purpose of discussing the following agenda.

Posted this 10th day of December, 2020, prior to 7:00 p.m.

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### **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 December 8, 2020 Runoff Election of the City of Kyle, Texas. ~ *Travis Mitchell, Mayor*

### **IV. 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

## Canvass Resolution

**Meeting Date: 12/15/2020**

**Date time:5:00 PM**

**Subject/Recommendation:** A Resolution Canvassing the Returns and Declaring the Results of the December 8, 2020 Runoff Election of the City of Kyle, Texas. ~ *Travis Mitchell, Mayor*

**Other Information:**

**Legal Notes:**

**Budget Information:**

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**ATTACHMENTS:**

**Description**

- 2020 1215 Resolution Canvassing Results of December 8 Mayoral Runoff Election
- City-of-Kyle-Cumulative-Dec-8-2020-official

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE DECEMBER 8, 2020 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 3, 2020 for the purpose of electing three members to the Kyle City Council for a three-year term, specifically Mayor and City Council Places 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; together with all amendments and additions thereto; 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 Mayoral candidates, Travis Mitchell and Linda Tenorio 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 8, 2020, for the purpose of electing a Mayor; and

**WHEREAS**, pursuant to the City Charter and Texas Election Code, the City Council of the City of Kyle, Texas, convened on this the 15<sup>th</sup> day of December 2020, at 7:00 P.M. for the purpose of canvassing the vote in the runoff election held on December 8, 2020;

**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 8<sup>th</sup> day of December, 2020, for the purpose of electing a Mayor, and it appearing from said returns, duly and legally made; that each of the candidates in said election received the following votes:

<b><u>COUNCIL BY PLACE:</u></b>	<b><u>VOTES CAST:</u></b>		
	<b><u>Early</u></b>	<b><u>Election Day</u></b>	<b><u>Total</u></b>
<b>MAYOR</b>			
Travis Mitchell	807	469	1276
Linda Tenorio	725	303	1028

(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 Mayor. 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 15<sup>th</sup> day of December, 2020, 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.

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Travis Mitchell, Mayor

ATTEST:

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Jennifer Holm, City Secretary

**City of Kyle Cumulative Results Report**

Dec. 8, 2020 City Runoff Elections

Run Time 2:31 PM  
Run Date 12/14/2020

**Hays County, Texas**

City Runoff Election

12/8/2020

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**Official Results**

**Registered Voters**  
2304 of 26389 = 8.73%

**Precincts Reporting**  
18 of 18 = 100.00%

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

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Travis Mitchell		287	50.53%	520	53.94%	469	60.75%	1,276	55.38%
Linda Tenorio		281	49.47%	444	46.06%	303	39.25%	1,028	44.62%
	Cast Votes:	568	100.00%	964	100.00%	772	100.00%	2,304	100.00%
	Undervotes:	0		0		0		0	
	Overvotes:	0		0		0		0	

\*\*\* End of report \*\*\*