



City Council Agenda Item Report

March 19, 2013

Contact – Danny Batts, City Secretary, dbatts@ci.buda.tx.us 512-312-0084

SUBJECT: Canvass the returns of the March 9, 2013 Special Election and discuss and consider approval of a resolution of the City Council of the City of Buda, Texas, declaring the canvass and result of an election held on March 9, 2013, to elect Councilmember, Place 2 for the City Of Buda; containing a savings clause; declaring an effective date

1. **BACKGROUND/HISTORY**

A special election was held on March 9, 2013 to elect a Councilmember, Place 2 for the City of Buda. The City Council must vote to accept the results of the election.

2. **FINDINGS/CURRENT ACTIVITY**

The City Secretary will announce the results of the election. After the numbers are reported, the Council will vote to accept the results and a Certificate of Election will be issued for the winning candidate, Wiley Hopkins, and Mr. Hopkins can be sworn in to office.

3. **FINANCIAL IMPACT**

None

4. **ACTION OPTIONS/RECOMMENDATION**

Staff recommends that Council consider accepting the returns of the 03/09/2013 Special Election.

RESOLUTION NO. 2013-____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BUDA, TEXAS, DECLARING THE CANVASS AND RESULT OF AN ELECTION HELD ON MARCH 9, 2013, TO ELECT A COUNCILMEMBER, PLACE 2 FOR THE CITY OF BUDA; CONTAINING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BUDA, TEXAS:

I

Came on this the 19th day of March, 2013, the 10th day after the called election to elect one (1) Councilmember, Place 2 of the City of Buda, Texas, regularly to be canvassed in accordance with State law, the returns of the special municipal election held on the 9th day of March, 2013, at which election there were submitted to the qualified voters of the City of Buda, the names of candidates to be considered for the election of one (1) Councilmember, Place 2 of the City of Buda, and the City Council of the City of Buda has met to canvass the returns and to declare the result of said election in the manner provided by law, and after considering, determining and canvassing all matters of facts, including votes, appertaining, we, the City Council of the City of Buda, after opening the returns of the election received from the election administrator and delivered to the City Secretary, do hereby find and declare the result of said election to be as tabulated below:

FOR MCOUNCILMEMBER, PLACE 2 OF THE CITY OF BUDA

Wiley Hopkins	162 VOTES
Amy Proctor	81 VOTES

II

And it appearing to the City Council of the City of Buda that the names of the candidates for Councilmember, Place 2 of the City of Buda for term which shall begin at the first regular meeting following this canvass (March 19, 2013) and shall expire when his/her successor is elected and qualified; were submitted at said election and that the election was held and conducted, and that the returns thereof were made, all as required by the Charter of the City of Buda, Texas, and the laws of the State of Texas, the order of the City Council and the law for such cases made and provided, and that at said election, there were cast respectively for each of the said candidates for the office of Councilmember, Place 2 for the term beginning on March 19, 2013, and which shall expire in November 2013, the aggregate number of votes as shown on the above.

III

And the City Council of the City of Buda, having first canvassed said returns and having found the same in all things correct, the same was thereupon adopted by required vote of the City Council; and it is further declared that as a result of said regular election; the Councilmember, Place 2 of the City of Buda for the term beginning on March 19, 2013, is

Wiley Hopkins

and he was elected by receiving the majority of all votes cast for the office which he was a candidate, cast by the qualified voters of the City of Buda voting at said election, and he is hereby declared to be the lawful and duly elected Councilmember, Place 2 for the City of Buda.

IV

If any part of this resolution shall be held to be unconstitutional or invalid for any reason, such unconstitutionality or invalidity shall not effect the constitutionality or validity of the remaining parts of this Resolution. The City Council hereby declares that it would have passed the remaining parts of this resolution if it had known that such part or parts thereof would have been declared unconstitutional or invalid, and further declares that such remaining parts shall remain in full force and effect; and that the provisions hereof are severable.

PASSED AND APPROVED: this the 19th day of March, 2013.

CITY OF BUDA, TEXAS

Mayor

ATTEST:

Danny S. Batts II, City Secretary