

## ACTION FORM BRYAN CITY COUNCIL

|  |   |  |   |
|--|---|--|---|
| <b>DATE OF COUNCIL MEETING:</b> December 30, 2013  |   | <b>DATE SUBMITTED:</b> December 10, 2013 |   |
| <b>DEPARTMENT OF ORIGIN:</b> City Secretary  |   | <b>SUBMITTED BY:</b> Mary Lynne Stratta  |   |
| <b>MEETING TYPE:</b>   | <b>CLASSIFICATION:</b>                      | <b>ORDINANCE:</b>                        | <b>STRATEGIC INITIATIVE:</b>                        |
| <input type="checkbox"/> BCD   | <input type="checkbox"/> PUBLIC HEARING     | <input type="checkbox"/> 1ST READING     | <input type="checkbox"/> PUBLIC SAFETY              |
| <input checked="" type="checkbox"/> SPECIAL  | <input checked="" type="checkbox"/> CONSENT | <input type="checkbox"/> 2ND READING     | <input type="checkbox"/> SERVICE                    |
| <input type="checkbox"/> REGULAR   | <input type="checkbox"/> STATUTORY          |  | <input type="checkbox"/> ECONOMIC DEVELOP.          |
| <input type="checkbox"/> WORKSHOP  | <input type="checkbox"/> REGULAR            |  | <input type="checkbox"/> INFRASTRUCTURE             |
|  |   |  | <input checked="" type="checkbox"/> QUALITY OF LIFE |
| <b>AGENDA ITEM DESCRIPTION:</b> Resolution – Canvassing Runoff Election Returns  |   |  |   |
| Adoption of a resolution canvassing the returns of the City of Bryan runoff election held on December 17, 2013.  |   |  |   |
| <i>(Resolución - escrutinar la elección - La adopción de una resolución del Consejo de la Ciudad de Bryan, Texas, solicitando los resultados de la elección segunda votación llevada a cabo el 17 de diciembre del 2013.)</i>                                |   |  |   |
| <b>SUMMARY STATEMENT:</b> The City Council should adopt a resolution canvassing the returns of the runoff election for Councilmember Single Member District Two held on December 17, 2013.   |   |  |   |
| <b>STAFF ANALYSIS AND RECOMMENDATION:</b> The proposed resolution sets out the results of the December 17, 2013, runoff election for Councilmember Single Member District Two. Elections address the City Council's strategic initiative of quality of life. |   |  |   |
| <b>OPTIONS (In Suggested Order of Staff Preference):</b>   |   |  |   |
| 1. Adopt the resolution.   |   |  |   |
| 2. December 30, 2013, is the final date allowed by State law for canvass to occur.   |   |  |   |
| <b>ATTACHMENTS:</b> Resolution   |   |  |   |
| <b>FUNDING SOURCE:</b> City Secretary's Election Budget  |   |  |   |
| <b>APPROVALS:</b> Mary Lynne Stratta 12-10-13; Hugh R. Walker, 12/10/2013  |   |  |   |
| <b>APPROVED FOR SUBMITTAL: CITY MANAGER</b> Kean Register 12/16/2012   |   |  |   |
| <b>APPROVED FOR SUBMITTAL: CITY ATTORNEY</b> Janis K. Hampton, 12.17/2013  |   |  |   |

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRYAN, TEXAS, CANVASSING ELECTION RETURNS OF THE MUNICIPAL ELECTION HELD ON DECEMBER 17, 2013, FOR THE PURPOSE OF ELECTING ONE CITY COUNCILMEMBER FROM SINGLE MEMBER DISTRICT TWO; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on December 17, 2013, in accordance with the relevant provisions of the Texas Election Code and the Charter of the City of Bryan, a municipal runoff election was held for the purpose of electing one City Councilmember from Single Member District Two; and

**WHEREAS**, the City Secretary has administered all matters pertaining to said election, including the ordering, giving notice, officers, holding, and making returns of said election in accordance with state and federal law; and

**WHEREAS**, the election officers who held said election have duly made the returns of the results thereof; and

**WHEREAS**, the Mayor by his signature hereon concurs in the results of the election as determined by the election officers holding said election and herein declared;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRYAN, TEXAS:**

**Section 1.** That the City Council and the Mayor officially find and determine that said election was duly ordered, that proper notice of said election was duly given, that proper election officers were duly appointed prior to said election, that said election was duly held, that due returns of the results of said election have been made and delivered, and that the City Council and the Mayor have duly canvassed said returns, all in accordance with law.

**Section 2.** That the City Council and the Mayor officially find and determine that every person attaining the age of 18 years and having resided within the limits of City of Bryan Single Member District Two for 30 days next preceding the date above fixed for said election and who was a qualified voter under the laws of the State of Texas was permitted to vote at said election for the candidate for which they were entitled to vote, therefore, to wit:

**City Councilmember Single Member District Two**

|                 |           |        |
|-----------------|-----------|--------|
| Rafael Pena III | 211 votes | 62.24% |
| Perry Stephney  | 128 votes | 37.76% |

**Section 3.** That the City Council and the Mayor hereby officially find, determine and declare the results of said election to be as follows:

City Councilmember Single Member District Number Two - Rafael Pena III received a majority of the votes cast and is declared elected as City Councilmember Single Member District Number Two.

**Section 4.** That after the canvassing of the election returns and the Statement of Officer and the Oath of Office administered, the City Secretary shall issue a Certificate of Election to Rafael Pena III as City Councilmember Single Member District Two in order that he may take office and organize and perform his duties in accordance with law.

**Section 5.** That this resolution shall be effective immediately upon adoption.

**APPROVED AND ADOPTED** by the City Council of the City of Bryan this 30th day of December, 2013.

**ATTEST:**

\_\_\_\_\_  
Mary Lynne Stratta, City Secretary

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Jason P. Bienski, Mayor

**APPROVED AS TO FORM:**

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Janis Hampton, City Attorney