

ACTION FORM BRYAN CITY COUNCIL

DATE OF COUNCIL MEETING: November 18, 2013		DATE SUBMITTED: October 21, 2013	
DEPARTMENT OF ORIGIN: City Secretary		SUBMITTED BY: Mary Lynne Stratta	
MEETING TYPE:	CLASSIFICATION:	ORDINANCE:	STRATEGIC INITIATIVE:
<input type="checkbox"/> BCD	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1ST READING	<input type="checkbox"/> PUBLIC SAFETY
<input type="checkbox"/> SPECIAL	<input checked="" type="checkbox"/> CONSENT	<input type="checkbox"/> 2ND READING	<input type="checkbox"/> SERVICE
<input checked="" 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
AGENDA ITEM DESCRIPTION: Resolution – Canvassing Election Returns			
Adoption of a resolution canvassing the election returns of the City of Bryan general election conducted on November 5, 2013.			
<i>(Resolución – Escrutinar la elección</i>			
<i>La adopción de una resolución solicitando los resultados de la elección general llevada a cabo el 5 de noviembre del 2013.</i>			
SUMMARY STATEMENT: Council should adopt a resolution canvassing the results of the November 5, 2013, election for Mayor, Councilmember Single Member District One and Councilmember Single Member District Two. The resolution was prepared after the election, following tabulation, and the deadlines passed for late mail ballots from military/overseas voters, photo ID verification, and provisional ballot review by the Voter Registrar and Early Ballot Board.			
STAFF ANALYSIS AND RECOMMENDATION: Adopt the resolution so the newly elected Mayor and Councilmember SMD One can be sworn into office and so the City Council can order a runoff election for District Two. Elections address Council’s strategic initiative of quality of life.			
OPTIONS (In Suggested Order of Staff Preference):			
1. Adopt the resolution.			
2. The timing for the canvass is set by state law. November 18 is the last day to canvass under state law.			
ATTACHMENTS: Resolution			
FUNDING SOURCE: City Secretary’s Election Budget			
APPROVALS: Mary Lynne Stratta 10-21-13; Hugh R. Walker, 10/29/2013			
APPROVED FOR SUBMITTAL: CITY MANAGER Kean Register, 10/28/2013			
APPROVED FOR SUBMITTAL: CITY ATTORNEY Janis K. Hampton, 10/31/2013			

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRYAN, TEXAS, CANVASSING ELECTION RETURNS OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 5, 2013, FOR THE PURPOSE OF ELECTING A MAYOR, ONE CITY COUNCILMEMBER FROM SINGLE MEMBER DISTRICT NUMBER ONE AND ONE CITY COUNCILMEMBER FROM SINGLE MEMBER DISTRICT NUMBER TWO; DECLARING A MAYOR AND CITY COUNCILMEMBER FROM SINGLE MEMBER DISTRICTS ONE ELECTED; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on November 5, 2013, in accordance with the relevant provisions of the Texas Election Code and the Charter of the City of Bryan, a general municipal election was held for the purpose of electing a Mayor, one City Councilmember from Single Member District Number One and one City Councilmember from Single Member District Number Two, for full three-year terms; 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 eighteen (18) years and having resided within the limits of the City of Bryan and the appropriate single member districts, if applicable, for thirty (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 elections for the candidates for which they were entitled to vote, therefore, to wit:

Mayor

Jason P. Bienski	3,116 votes	63.79%
Mike Southerland	1,769 votes	36.21%

City Councilmember Single Member District One

Richard M. Cortez, Sr.	129 votes	43.00%
Al Saenz	171 votes	57.00%

City Councilmember Single Member District Two

Rafael Peña III	163 votes	32.53%
Perry Stephney	228 votes	45.51%
Kevin R. Davenport	110 votes	21.96%

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

Mayor – Jason P. Bienski received a majority of the votes cast in said election and is hereby declared elected as Mayor.

City Councilmember Single Member District One – Al Saenz received a majority of the votes cast in said election and is hereby declared elected as City Councilmember Single Member District One.

City Councilmember Single Member District Two – No candidate received a majority vote; therefore, a runoff election will be conducted.

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 Jason P. Bienski and Al Saenz in order that they may take office and organize and perform their 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 18th day of November, 2013.

ATTEST:

CITY OF BRYAN:

Mary Lynne Stratta, City Secretary

Jason P. Bienski, Mayor

APPROVED AS TO FORM:

Janis K. Hampton, City Attorney