City Council Agenda
2/9/2022

Notice is hereby given of a regular meeting of the City Council of City of San Angelo to be held February 9, 2022 at 8:30 AM at the McNease Convention Center – South Meeting Room, 501 Rio Concho Drive, San Angelo, Texas, for the purpose of considering the following agenda items.

1. **Call to Order**
2. **Public Comment**

Issues or concerns not on the Regular Agenda may be raised by the public at this time. Citizens should speak from the podium, address all comments to the dais, begin by stating their name and address or Single Member District number, and limit their remarks to less than three minutes.

3. **Consent Agenda**
   a. Consider a resolution canvassing the returns and declaring the results of the Special Election held January 29, 2022 (Presentation made by City Clerk Julia Antilley)
4. **Follow Up and Administrative Issues**
5. **Adjournment**

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board at City Hall in the City of San Angelo, Texas, on the 2nd day of February 2022, at 4:00 p.m.

_____
Julia Antilley, City Clerk

All agenda items are subject to action. The City Council reserves the right to consider business out of posted order and/or meet in a closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

In compliance with the Americans with Disabilities Act, the City of San Angelo will provide for reasonable accommodations for persons attending City Council meetings. To better serve you, requests should be received 48 hours prior to the meetings. Please contact the City Clerk's Office at 325-657-4405.

Citizen requests to display materials on the city's monitors must submit the request 96 hours prior to the meeting by email to Julia.Antilley@cosatx.us. Time limits for discussion are as stated above and materials cannot exceed 10-pages. Citizens bringing materials for distribution to City Council members during the meeting must bring a minimum of 12 copies.

City Council regular meetings are broadcast on SATV Channel 17-Government Access at 10:30 a.m. and 7:00 p.m. every day, beginning the evening of the meeting until the evening of the next meeting.

REPORT TO MAYOR & MEMBERS OF CITY COUNCIL

Requestor: Julia Antilley, City Clerk, City Clerk, 325-657-4405

Meeting Date: February 9, 2022

Item type: Consent Item

Caption:

Consider a resolution canvassing the returns and declaring the results of the Special Election held January 29, 2022 (Presentation made by City Clerk Julia Antilley)

Staff Recommendation:

Adopt

Summary/History:

The canvassing of elections is required by the Election Code to take place between 3 and 11 days following the election, after the Early Voting Ballot Board has verified and counted all provisional ballots.

While the final numbers from the EVBB will not be finalized until next week, the attached draft resolution shows the Unofficial Results as published Election Day, January 29, 2022.

The resolution will be updated with official numbers and Exhibit A will be added when available.

Funding Source(s):

Financial Impact:

Election expenses will be invoiced at the rates outlined in the existing election contract with Tom Green County.

Other Information/Recommendation:

Staff recommends adopting the resolution.

Attachments:

1.	RESO_DRAFT-Canvass Election as of 2.2.2022	RESO_DRAFT-Canvass Election January 29, 2022.docx
2.	Unofficial Results - Election Night	Unofficial Results - Election Night.pdf

Presentation:

Julia Antilley

Approvals/Reviews:

Julia Antilley	Created/Initiated

Theresa James	Approved
Julia Antilley	Final Approval

RESOLUTION 2022-0xx

A RESOLUTION OF THE CITY OF SAN ANGELO, TEXAS, CANVASSING RETURNS OF THE SPECIAL ELECTION HELD ON THE 29TH DAY OF JANUARY 2022, FOR THE PURPOSE OF ELECTING A MUNICIPAL OFFICER; DECLARING RESULTS OF THE SPECIAL ELECTION; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, pursuant to Resolution No. 2021-232 of the City of San Angelo, Texas, adopted on the 7th day of December 2021, a General Election was duly held on the 29th day of January 2022, for the purpose of electing a municipal officer to the following position: City Council Member for Single Member District Five to an unexpired term ending May 2023.

WHEREAS, the said Special Election was posted in the manner and for the length of time required by law; and

WHEREAS, only duly qualified resident voters in Single Member District Five of the City of San Angelo, Texas, voted at the Special Election held on January 29, 2022; and

WHEREAS, section 67.003 of the Texas Election Code, as amended, generally provides that each local canvassing authority shall not convene for the purpose of canvassing the election results earlier than the later of the third day after the election day, or the date on which the early voting ballot board has verified and counted all provisional ballots, if any, or the date on which all timely received ballots cast from addresses outside of the United States are counted, if any; and, not later than the eleventh day after the election day; and

WHEREAS, section 67.004(a) of the Texas Election Code, as amended, establishes the quorum level required to canvass election results to be two members of the canvassing authority; and

WHEREAS, a quorum of the City Council met on Wednesday, February 9, 2022, and duly canvassed the election returns of the above described Special Election, attached hereto as **Exhibit "A"**.

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

Section 1: The City Council officially finds and determines that the said election was duly ordered to be held in the City of San Angelo, Texas on the 29th day of January 2022, for the purpose of electing a municipal officer to the following position: City Council Member for Single Member District Five to an unexpired ending May 2023; that proper notices of said election were duly given; that proper election officers were duly appointed prior to said elections; that said election has been duly made and election returns delivered; and that the City Council has duly canvassed said returns all in accordance with law.

Section 2: The City Council officially finds and determines that only qualified resident voters in Single Member District Five of the City of San Angelo were allowed to vote; the following votes were cast; the canvass of the votes cast in the January 29, 2022 election and returns thereof, which is attached hereto as **Exhibit "A",** were made in accordance with the law.

Office/Candidate	Early/Absentee	Election Day	Total	
Single Member District 5				
Karen Hesse Smith	286	142	428	51.14%
John Austin Stokes	174	142	316	37.75%
Lynette Lucas	29	25	54	6.45%
Bryan Neil Angle	19	20	39	4.66%

Section 3: Pursuant to the applicable provisions of the Texas Local Government Code, Texas Election Code, and the City of San Angelo, Texas Home-Rule Charter, the City Council officially finds, determines, and declares the results of said Special Election to be that:

(1) Karen Hesse Smith is elected City Council Member for Single Member District Five to an unexpired term of office ending May 2023 by majority vote of the votes cast for Council Member Single Member District Five.

Section 4: This Resolution shall be effective immediately upon its adoption.

The above Resolution was, upon motion made by _____ and seconded by _____, duly passed and adopted by the City Council of the City of San Angelo, Texas on the 9th day of February 2022.

THE CITY OF SAN ANGELO, TEXAS:

ATTEST:

_____
Brenda Gunter, Mayor

_____
Julia Antilley, City Clerk

APPROVED AS TO CONTENT:

_____
Julia Antilley, City Clerk

APPROVED AS TO FORM:

_____
Theresa James, City Attorney

EXHIBIT A

<insert final results when received from the county>

Cumulative Results Report

Election Results

Run Time 8:30 PM

Run Date 01/29/2022

CITY OF SAN ANGELO

SPECIAL ELECTION

1/29/2022

Unofficial Results

Registered Voters

838 of 9311 = 9.00%

Precincts Reporting

0 of 3 = 0.00%

City Council Member, Single Member District 5 - Vote for none or one

Choice	Party	Absentee Voting		Early Voting		Election Day Voting		Total	
Karen Hesse Smith		24	51.06%	262	56.83%	142	43.16%	428	51.14%
John Austin Stokes		10	21.28%	164	35.57%	142	43.16%	316	37.75%
Lynette Lucas		5	10.64%	24	5.21%	25	7.60%	54	6.45%
Bryan Neil Angle		8	17.02%	11	2.39%	20	6.08%	39	4.66%
	Cast Votes:	47	100.00%	461	100.00%	329	100.00%	837	100.00%
	Undervotes:	0		1		0		1	
	Overvotes:	0		0		0		0	

*** End of report ***