CITY OF HUTTO, TEXAS
SPECIAL CALLED CITY COUNCIL MEETING
WEDNESDAY, MAY 15, 2019 AT 7:00 PM
CITY HALL - CITY COUNCIL CHAMBERS
500 WEST LIVE OAK

CITY COUNCIL

Doug Gaul, Mayor
Tom Hines, Place 2, Mayor Pro-tem
Scott Rose, Place 1
Nathan Killough, Place 3
Vacant, Place 4
Patti Turner, Place 5
Terri Grimm, Place 6

AGENDA

1. CALL SESSION TO ORDER
2. ROLL CALL
3. PLEDGE OF ALLEGIANCE
4. CITY COUNCIL COMMENTS

Pursuant to Texas Government Code Sec. 551.0415, a member of the governance body may make an announcement about items of community interest during a meeting of the governing body without given notice of the subject of the announcement. "Items of Community Interest" include: (1) expressions of thanks, congratulations, or condolence; (2) information regarding holiday schedule; (3) an honorary or salutary recognition of public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person’s public office or public employment is not an honorary or salutary recognition of the subdivision; (4) a reminder regarding social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the political subdivision; and (5) announcements involving imminent threat to the public health and safety of people in the political subdivision that has arisen after the posting of the agenda.

4A. General Comments from City Council

5. PUBLIC COMMENT
Any citizen wishing to speak during public comment may do so after completing the required registration form.

In accordance with the Texas Attorney General’s Opinion, any public comment that is made on an item that is not on the published final agenda will only be heard by the City Council.

No formal action, discussion, deliberation, or comment will be made by the City Council. Comments must be courteous and respectful. Accordingly, concerns, complaints, and assertions of character regarding specific individuals, including any citizens, staff member, City Board or Commission member or City Council member shall not be raised in a public forum; but should be addressed separately and privately with the City Manager or individual member of the City Council. Any person who violates these rules will have their speaking time ended immediately. Any person, including persons in the audience, who acts in an inappropriate or disruptive manner may be asked to leave the City Council Chambers. Each person providing public comment will be limited to 3 minutes.

5A. Remarks from visitors. (Three-minute time limit)

REGULAR AGENDA ITEMS

6A. Consideration and possible action on a resolution canvassing the returns and declaring the results of the May 4, 2019 General and Special Election official.

6B. Consideration and possible action on a resolution ordering a run-off election for the purposes of electing a Place 6 City Council Member; election to be held on June 8, 2019; designating election precincts and polling places; providing for early voting and election day voting; and making provisions for the conduct of such election.

6C. Swearing In of new council members.

6. ADJOURN TO RECEPTION

CERTIFICATION

I certify that this notice of the May 15, 2019 Special Called Hutto City Council meeting was posted on the City Hall bulletin board of the City of Hutto on May 10, 2019 at .

Original Agenda Signed
Lisa L. Brown, City Secretary

The City of Hutto is committed to comply with the American with Disabilities Act. The Hutto City Council Chamber is wheelchair accessible. Request for reasonable special communications or accommodations must be made 48 hours prior to the meeting. Please contact the City Secretary at (512) 759-4033 or lisa.brown@huttotx.gov for assistance.
AGENDA ITEM NO.: 6A. AGENDA DATE: May 15, 2019

PRESENTED BY: Lisa Brown, City Secretary

ITEM: Consideration and possible action on a resolution canvassing the returns and declaring the results of the May 4, 2019 General and Special Election official.

STRATEGIC GUIDE POLICY: Leadership

ITEM BACKGROUND:
A general election was held on May 4, 2019, for the purpose of electing City Council, Place 3, City Council Place 6, Mayor and a Special Election to elect City Council Place 4. This resolution is to accept the official results from the Williamson County Elections Division that will be presented at the canvass on May 15, 2019. The canvass is a mandatory action that must take place during an official meeting of a political subdivision's governing body between May 15, 2018.

BUDGETARY AND FINANCIAL SUMMARY:
There is no financial impact to this item.

RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:
There is no board or commission recommendation needed for this item.

CITY ATTORNEY REVIEW:
This has been reviewed by the City Attorney.

STAFF RECOMMENDATION:
Staff recommends approval of the resolution accepting the results as presented.
SUPPORTING MATERIAL:
1. Resolution - Canvass

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<tr>
<th>Funding Source</th>
<th>Fund</th>
<th>Div</th>
<th>Dept</th>
<th>Object/Project</th>
<th>Total Requested</th>
<th>Available FY Budget</th>
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Fiscal and Budgetary Comments:

Fiscal Review Signature:
RESOLUTION NO. R-19-05-15-6A

A RESOLUTION CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE GENERAL ELECTION HELD ON MAY 4, 2019, FOR THE PURPOSE OF ELECTING CITY COUNCIL, PLACE 3, CITY COUNCIL, PLACE 4, CITY COUNCIL, PLACE 6 AND MAYOR.

WHEREAS, a general election was held in the City of Hutto, Texas on May 5, 2018, for the purpose of electing a Councilmember for Place 3, and a Councilmember for Place 4, Councilmember for Place 6 and Mayor, and;

WHEREAS, the Williamson County, Texas Elections Administrator who conducted the election has duly made the returns of the results thereof, and the returns have been duly delivered to this City Council, and;

WHEREAS, a total of ___ ballots were cast at said election, and;

WHEREAS, in accordance with Chapter 67 of the Texas Election Code, the City Council canvassed the election returns.

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

1. That the City Council officially finds and determines the election was duly ordered, that proper notice of the election was duly given, that proper election officers were duly appointed prior to the election, the election was duly held, the City complied with the Federal Voting Rights Act, the Texas Election Code, and Texas Constitution and that the returns of the election have been made and delivered, and that the City Council has duly canvassed the returns, all in accordance with state law.

2. That the Hutto City Council officially finds and determines that the following votes were cast by the resident qualified electors of the City who voted at the election for the purpose of selecting members to serve in City Council, Place 2, and City Council, Place 5.

   MAYOR
   Nicole Calderone
   Doug Gaul

   CITY COUNCIL, PLACE 3
   Mike Snyder
   Nathan Killough

   CITY COUNCIL, PLACE 4
   Don Carlson
   Peter Gordon

   ____
   ____
   ____
   ____
CITY COUNCIL, PLACE 6

Tanner Rose  _____%
Shawn Lucas  _____%
Terri Grimm  _____%

3. That the Hutto City Council finds, determines, and declares the results of the May 4, 2019 election to be official.

4. That the City Council hereby finds and declares that written notice of this date, hour, place, and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were discussed, considered, and formally acted upon, all in accordance with and as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended, and the Act.

RESOLVED on this the 15th day of May, 2019.

CITY OF HUTTO, TEXAS

_________________________________
Doug Gaul, Mayor

ATTEST:

_________________________________
Lisa L. Brown, City Secretary
Consideration and possible action on a resolution ordering a run-off election for the purposes of electing a Place 6 City Council Member; election to be held on June 8, 2019; designating election precincts and polling places; providing for early voting and election day voting; and making provisions for the conduct of such election.

**STRATEGIC GUIDE POLICY:** Leadership

**ITEM BACKGROUND:**
This resolution calls for the City of Hutto to conduct a runoff election on Saturday, June 8, 2019 for the purposes of electing a Place 6 City Council member. Early voting begins Tuesday, May 28, 2019 and ends June 4, 2019. Election day is Saturday June 8, 2019. No provision has been made for Early Voting on Sunday, June 2, 2019.

The Early Voting and Election Day Voting will be held at Hutto City Hall located at 500 W. Live Oak in Hutto, Texas. The Williamson County Inner Loop Annex, located at 301 SE Inner Loop, Georgetown, Texas will also serve as an Early Voting Location.

**BUDGETARY AND FINANCIAL SUMMARY:**
The total cost estimate for the Runoff Elections is approximately $6,000.00

**RELATED COUNCIL COMMITTEE OR ADVISORY BOARD RECOMMENDATIONS:**
There is no board or commission recommendation necessary.

**CITY ATTORNEY REVIEW:**
Not applicable.
**STAFF RECOMMENDATION:**

Staff recommends approval of the resolution.

**SUPPORTING MATERIAL:**

1. Resolution

<table>
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Fiscal and Budgetary Comments:

Fiscal Review Signature:
RESOLUTION NO. R___________

A RESOLUTION CALLING A RUNOFF ELECTION FOR PLACE 6 OF THE HUTTO CITY COUNCIL FOR A TERM OF THREE YEARS, DESIGNATING THE DATE OF SAID ELECTION; DESIGNATING POLLING PLACES; DESIGNATING EARLY VOTING HOURS AND PLACES; AND DIRECTING POSTING AND PUBLICATION OF NOTICE FOR SAID ELECTION.

WHEREAS, pursuant to Sec. 2.021 of the Election Code of the State of Texas, and Article 5, Section 5.05 of the Hutto City Charter, it is provided that if no candidate for a particular office receives the vote necessary to be elected in an election requiring a majority vote, a runoff election for that office is required; and

WHEREAS, a canvassing of the returns and declaring the results of a regular City Municipal Election held on May 4, 2019, was approved by the City Council on May 15, 2019; and

WHEREAS, the canvass determined that, in the race for Councilmember, Place 6 no candidate received a majority of the votes cast; and

WHEREAS, the two candidates receiving the highest number of votes for the office of Councilmember, Place 6 were Tanner Rose and Terri Grimm.

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

Section 1. ELECTION DAY

Election Officers. The City Council hereby appoints the Williamson County Elections Administrator and the Hutto City Secretary as the Election Day Officers for the City of Hutto.

Election Date. A Runoff Election shall be held jointly on Saturday, June 8, 2019.

Precincts and Polling Places. The City hereby designates the election precincts and polling places designated by the Williamson County Elections Administrator, and approved by the Williamson County Commissioners Court, for such Election Day voting. The polls at the designated polling places on said Election Day shall be open from 7:00 am until 7:00 pm as noted in the Notice of Election labeled as “Exhibit “A” in the attachments to this resolution.

Election Judges.

The Williamson County Elections Administrator is conducting such elections for the City pursuant
to the terms of an Election Services Contract. The City Council hereby appoints, for the term of such elections, the presiding election judge(s) and alternate election judge(s) as being those designated by the Williamson County Elections Administrator and approved by the Williamson County Commissioners Court.

The Williamson County Elections Administrator is hereby authorized to appoint the number of election clerks necessary to assist in the proper conduct of the elections. The appointment of such clerks shall include a person fluent in the Spanish language to serve as a clerk to render oral aid in the Spanish language to any voter desiring such aid at the polls on the day of the election.

Section 2. **EARLY VOTING.**

**Early Voting Clerk.** The City Council hereby appoints the Williamson County Elections Administrator as the Early Voting Clerk for the City of Hutto. The Williamson County Administrator shall appoint the presiding judges(s) for each of said Early Voting and Temporary polling places and is hereby further authorized to appoint additional election clerks (not less than two and not more than six) to assist in conducting said election.

**Dates for Early Voting.** Early voting shall commence on Tuesday, May 28, 2019 (12th day before Election Day) and continue through Tuesday, June 3, 2019 (4th day before Election Day), as provided by the Texas Election Code. Said dates for early voting are as noted in Exhibit “A” in the attachments to this resolution. No provision has been made for Early Voting on Sunday, June 2, 2019.

**Places for Early Voting.** Early voting shall be conducted by personal appearance and by mail at the early voting polling places designated by the Williamson County Elections Administrator and approved by the Williamson County Commissioners Court. Said dates for early voting are as noted in Exhibit “A” in the attachments to this resolution.

**Times for Early Voting.** During the period in which early voting is required or permitted by law, that being May 28, 2019 through June 4, 2019, the hours designated for early voting by personal appearance shall be designated in writing by the Williamson County Elections Administrator and approved by the Williamson County Commissioners Court. Said times for early voting are as noted in Exhibit “D” in the attachments to this resolution.

**Applications for Ballots by Mail**

Applications for ballots by mail must be received, in the office of the Williamson County Elections Administrator, not later than 5:00 p.m. on Friday, June 6, 2009. The Early Voting Clerk’s mailing address to which ballot applications and ballots to be voted by mail may be sent is as follows:

Williamson County Elections Administrator  
Post Office Box 209  
Georgetown, TX 78627-0209
Section 3. **EARLY VOTING BALLOT BOARD.**

An Early Voting Ballot Board is hereby created to process early voting results, and the City hereby appoints the presiding judge of the Early Voting Ballot Board as appointed by the Williamson County Elections Administrator. Such presiding judge shall appoint not less than two (2) other qualified members to serve on such Board.

Section 4. **CUSTODIAN OF ELECTION RECORDS.**

Pursuant to the Texas Election Code and the applicable Election Services Contract, the City Secretary of Hutto, Texas shall be appointed as Custodian of Election Records.

Section 5. **VOTERS.**

All resident, qualified voters of the City shall be entitled to vote at the elections.

Section 6. **NOTICE.**

**Posting.** Notice of these elections, including a Spanish translation hereof, shall be given by posting the appropriate documentation on the bulletin board used for posting notices of City Council meetings, and same shall be posted not later than the fifteenth (15th) day before the date of the election and shall remain posted through Election Day.

**Publication.** Notice of these elections, including a Spanish translation hereof, shall be published once in a newspaper of general circulation in the City, the publication to appear not more than thirty (30) days and not less than ten (10) days prior to the date of the election.

**Authorization to City Secretary.** The City Secretary is hereby authorized and directed to publish and post the required notices in the manner and for the time periods required by law.

Section 7. **VOTING DEVICES.**

Pursuant to the Election Code and the applicable Election Services Contract, the Williamson County Elections Administrator may use electronic voting systems and corresponding voting devices and equipment in conducting the election. The Elections Administrator is currently using Election Systems and Software, Optical Ballot Scanner, Model 650 certified by the Texas Secretary of State.

Section 61.012 of the Texas Election Code requires that at least one accessible voting system must be provided in each polling place used in a Texas election on or after January 1, 2006. Such system must comply with state and federal laws setting the requirements for voting systems that permit voters with physical disabilities to cast a secret ballot. The Office of the Texas Secretary of State has certified that the DRE - Election Systems and Software iVotronic, Version 8.0.1.0 is an accessible voting system that may legally be used in Texas elections.

Sections 123.032 and 123.035 of the Texas Election Code authorize the acquisition of voting systems by local political subdivisions and further mandate certain minimum requirements for contracts
relating to the acquisition of such voting systems. As chief elections officer for the City of Hutto, the Williamson County Elections Administrator shall provide at least one Election Systems and Software iVotronic, Version 8.0.1.0 in each polling place at every polling location used to conduct any election ordered on or after January 1, 2006. The Election Systems and Software iVotronic, Version 8.0.1.0 may be acquired by any legal means available to the City of Hutto, including but not limited to lease or rental from Williamson County or from any other legal source, as authorized or required by Sections 123.032 and 123.035 of the Texas Election Code.

On Election Day voters will deposit a paper ballot into a ballot box to be counted at a central counting station and Williamson County will deploy ES & S’s M-100 optical scan precinct ballot counters. One unit will be stationed at each Election Day polling site. This will enable voters to know if they over-voted or under-voted a contest before their ballot is counted. The voters will have the opportunity to correct their ballots, if they so choose, after they feed the ballot into the M-100. If a voter under-votes or over-votes, their ballot will be kicked out of the M-100. At that point they can review the ballot, and if they so choose, make corrections and then re-insert the ballot.

The application of the M-100 will eliminate the need to scan ballots on Election Night. Instead, Williamson County will read the PCMCIA cards from within the M-100 on Election Night that the poll workers will return, along with the flash card and PEBs from the iVotronic DRE.

The Williamson County Elections Administrator may also utilize a central counting station as provided by Texas Election Code § 127.000 et seq., as amended.

Section 8. **CONDUCT ACCORDING TO STATUTES.**

In all substantive respects, the elections shall be conducted in accordance with applicable provisions of the Texas Election Code, any other applicable statutes, and the City of Hutto’s Home Rule Charter.

Section 9. **ELECTION RESULTS.**

The Williamson County Elections Administrator shall conduct an unofficial tabulation of results after the closing of the polls on June 13, 2009. The official canvass, tabulation and declaration of the results of the elections shall be conducted by the City Council at a regular or special council meeting held in accordance with provisions of the Texas Election Code.

Section 10. **MISCELLANEOUS.**

The provisions of this Resolution are severable, and in case any one or more of the provisions of this Resolution or the application thereof to any person or circumstance should be held to be invalid, unconstitutional, or ineffective as to any person or circumstance, then the remainder of this Resolution nevertheless shall be valid, and the application of any such invalid provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

The City Council hereby finds and declares that written notice of the date, hour, place and subject of the meeting at which this Resolution was adopted was posted and that such meeting was open to the public as required by law at all times during which this Resolution and the subject matter hereof were
discussed, considered and formally acted upon, all in accordance with and as required by the Open Meetings Act, Chapter 551, Texas Government Code, as amended, and the Act.

**RESOLVED** on this the 15th day of **May 2019**.

CITY OF HUTTO, TEXAS

______________________________
Doug Gaul, Mayor

Attest:

______________________________
Lisa L. Brown, City Secretary
NOTICE OF RUN-OFF ELECTION
(AVISO DE ELECCIÓN DE DESEMPATE)

To the registered voters of the City of Hutto, Texas:
(a los votantes registrados del Ciudad de Hutto, Texas):

Notice is hereby given that the polling places listed below will be open from 7:00 a.m. to 7:00 p.m., on Saturday, June 8, 2019, for voting in a run-off election to elect City Council members for Place 6.

(Notifíquese, por las presente, que las casillas electorales sitas abajo se abrirán desde las 7:00 a.m. hasta las 7:00 p.m. el sábado 8 de junio de 2019 para votar en la Elección de desempate para elegir Concejales para la Posición 6.

ELECTION VOTING LOCATIONS, DATES AND TIMES:
(Lugares, fechas y horarios para el día de la elección):

EARLY VOTING BY PERSONAL APPEARANCE LOCATIONS, DATES, TIMES ARE ON EXHIBIT “A”:
(Lugares, fechas, horarios, para la votación adelantada en persona son situados en ANEXO “A”):

ELECTION DAY VOTING BY PERSONAL APPEARANCE LOCATIONS AND TIMES ARE ON EXHIBIT “B”
(Lugares, fechas, horarios, para la votación en persona son situados en ANEXO “B”):

APPLICATIONS FOR BALLOT BY MAIL SHALL BE MAILED TO:
(Las solicitudes para boletas que se votarán por ausencia por correo deberán enviarse a):

Williamson County Elections Administrator
(Administrador de Elecciones de Condado de Williamson)

Post Office Box 209
(El Apartado de correos 209)

Georgetown, TX 78627-0209
(Ciudad de Georgetown, TX 78627-0209)

Applications for ballots by mail must be received no later than the close of business on May 28, 2019.
(Las solicitudes para boletas que se votarán en ausencia por correo deberán recibirse para el fin de las horas de negocio el 28 de mayo de 2019.)

ISSUED this the 15th day of May, 2019.
(Emitida este día15 de mayo, 2019.)

Doug Gaul, Mayor City of Hutto
Alcalde de la ciudad de Hutto, Doug Gaul
City of Hutto Runoff Election – June 8, 2019
Elección de Escorrentía de Cuidad de Hutto – 8 de junio 2019

**EARLY VOTING SCHEDULE**
*Horario de la Votación Adelantada*

**Main Location - Localidad Central:**

**Hutto City Hall, 500 W Live Oak Street, Hutto**

**Tuesday, May 28 through Friday, May 31**
8:00 am to 5:00 pm

**Saturday, June 1**
10:00 am to 2:00 pm

NO Sunday Voting

**Monday, June 3 and Tuesday, June 4**
7:00 am to 7:00 pm

**ELECTION DAY**
*Día de las Elecciones*

**Saturday, June 8, 2019  7:00 am – 7:00 pm**

**Hutto City Hall, 500 Live Oak Street, Hutto**