

CITY OF SANDY OAKS, TEXAS

RESOLUTION NO. 2017--70

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANDY OAKS, TEXAS CANVASSING THE ELECTION RESULTS OF THE SPECIAL ELECTION HELD ON MAY 6, 2017 FOR THE PURPOSE ELECTING ALDERMAN PLACE 1 (UNEXPIRED TERM), ALDERMAN PLACE 3 (UNEXPIRED TERM) AND ALDERMAN PLACE 5 (UNEXPIRED TERM); AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Sandy Oaks, Texas ("City") ordered a Special Election for Saturday, May 6, 2017 for the purpose electing Alderman Place 1 (unexpired term), Alderman Place 3 (Unexpired term) and Alderman Place 5 (Unexpired term) ("Election"); and

**WHEREAS**, the returns and accompanying records of the Election have been delivered to the Mayor of the City and are attached hereto as Exhibit A and incorporated hereto by reference; and

**WHEREAS**, section 67.003(b) of the Texas Election Code provides for an election held on the uniform election date in May, the local canvass must occur not later than the 11th day after election day and not earlier than the later of: (1) the third day after election day; (2) the date on which the early voting ballot board has verified and counted all provisional ballots, if a provisional ballot has been cast in the election; or (3) the date on which all timely received ballots cast from addresses outside of the United States are counted, if a ballot to be voted by mail in the election was provided to a person outside of the United States; and

**WHEREAS**, the City Council, after review and examination of the returns and accompanying records of the Election is of the opinion that the reports are in all respects proper and legal; and

**WHEREAS**, section 67.004(a) of the Texas Election Code provides that only two (2) members of the canvassing authority are needed and constitute a quorum for the purpose of canvassing election results; and

**WHEREAS**, a quorum of the canvassing authority, the City Council, met on May 16, 2017, to duly canvass the election returns of the Election attached hereto as Exhibit A and incorporated by reference as if fully set forth herein;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SANDY OAKS, TEXAS THAT:**

**SECTION 1.** That the findings set forth above are incorporated into the body of this resolution as if fully set forth herein.

**SECTION 2.** That the City Council officially finds and determines an election was duly ordered to be held and legally held in the City of Sandy Oaks, Texas on the 6<sup>th</sup> day of May, 2017 for the electing Alderman Place 1 (unexpired term), Alderman Place 3 (Unexpired term) and Alderman Place 5 (Unexpired term).

**SECTION 3.** That the returns attached hereto as Exhibit A are canvassed and approved and that the persons who are listed below with the most votes are declared elected, unless challenged as permitted by law, Alderman Place 1 (unexpired term), Alderman Place 3 (Unexpired term) and Alderman Place 5 (Unexpired term), subject to further qualifications as provided by law:

**Alderman, Place No. 1 (Unexpired Term)**

Cathleen Recio	62 Votes
Brandon Paul Smith	95 Votes

**Alderman, Place No. 3 (Unexpired Term)**

Tom Repino	122 Votes
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**Alderman, Place No. 5 (Unexpired Term)**

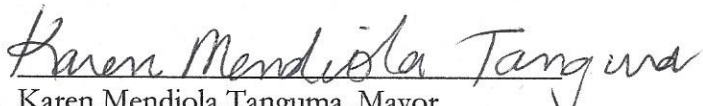
Douglas Tomasini	101 Votes
Michael Miller	54 Votes

**SECTION 4.** That after the canvass of votes by the City Council and completion of election certification, the Mayor shall promptly prepare and issue to the person named with the most votes in Section 3 of this resolution a Certificate of Election, and after filing the required statement disavowing bribery with the City Clerk and taking the required oath of office, the person identified in Section 3 with the most votes for each alderman place shall occupy his or her respective position as a member of the City Council of the City, and is entitled to serve for the remainder of the unexpired term.

**SECTION 5.** This Resolution shall become effective immediately upon its passage.

**PASSED AND APPROVED** on this the 16<sup>th</sup> day of May, 2017.

**CITY OF SANDY OAKS, TEXAS**

  
Karen Mendiola Tanguma, Mayor

ATTEST:

  
Charlotte Rabe, City Clerk