

RESOLUTION NO. 549

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF KENNEDALE, TEXAS, CANVASSING RETURNS AND DECLARING RESULTS OF A GENERAL AND SPECIAL ELECTION HELD ON MAY 4, 2019, FOR THE PURPOSE OF ELECTING COUNCILMEMBERS PLACES 1, 3 AND 5 AND AMENDING THE HOME RULE CHARTER OF THE CITY OF KENNEDALE, TEXAS; DECLARING AMENDMENTS TO THE CHARTER ADOPTED; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Kennedale (the "City") is a home rule city acting under its charter adopted by the electorate, pursuant to Article XI, Section 5, of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, on January 15, 2019, the City Council approved Resolution No. 545, calling for and ordering a general election to be held on May 4, 2019, for the purpose of electing three Councilmembers; and

WHEREAS, on February 11, 2019, the City Council approved Ordinance No. 658, calling for and ordering a special election to be held on May 4, 2019, for the purpose of amending the City Charter with three (3) propositions; and

WHEREAS, said elections were duly held at the time and place specified after due notice as required by law had been given by posting and publication; and

WHEREAS, pursuant to Chapter 67, of the Texas Election Code, the City Council of the City of Kennedale is required to canvass the returns and declare the results of the elections;

WHEREAS, the general election returns, duly and legally made, showed that there were cast at said election a total of 791 valid and legal votes, of which 498 were cast early, and 293 were cast on election day; and that each of the candidates in said election received the following votes:

CITY COUNCILMEMBER, PLACE 1

CANDIDATE	ABSENTEE	EARLY VOTING	ELECTION DAY	TOTAL	PERCENTAGE
JEFF NEVAREZ	7	238	128	373	48.19 %
JOSH ALTOM	4	237	160	401	51.81%

CITY COUNCILMEMBER, PLACE 3

CANDIDATE	ABSENTEE	EARLY VOTING	ELECTION DAY	TOTAL	PERCENTAGE
CESAR GUERRA	4	250	134	388	50.00%
SANDRA LEE	7	227	154	388	50.00%

CITY COUNCILMEMBER, PLACE 5

CANDIDATE	ABSENTEE	EARLY VOTING	ELECTION DAY	TOTAL	PERCENTAGE
CHAD WANDEL	6	289	167	462	62.77%
IDIN DELJAVAN	5	167	102	274	37.23%

;and

WHEREAS, the returns of said special election having been duly canvassed by the City Council, it is declared that the below propositions received the following votes:

PROPOSITION A – Vacancies for Three Year Terms

Shall the Kennedale Home Rule Charter be amended to delete Section 3.06(a)(1) regarding filling vacancies for three (3) year terms as unnecessary, because the charter only provides for two (2) year terms?

	ABSENTEE	EARLY VOTING	ELECTION DAY	TOTAL	PERCENTAGE
FOR	11	362	213	586	79.62%
AGAINST	0	100	50	150	20.38%

Proposition A **was approved.**

PROPOSITION B – Indebtedness

Shall the Kennedale Home Rule Charter be amended to revise Section 6.05 regarding the issuance of indebtedness by retaining the first sentence thereof (which authorizes the City to issue all forms of indebtedness permitted by state law), retaining the existing additional authority to enter into short term borrowings (less than one year), and deleting all other provisions thereof since they are otherwise provided by state law?

	ABSENTEE	EARLY VOTING	ELECTION DAY	TOTAL	PERCENTAGE
FOR	11	316	182	509	73.34%
AGAINST	0	119	66	185	26.66%

Proposition B **was approved.**

PROPOSITION C – Initiative, Referendum and Recall

Shall the Kennedale Home Rule Charter be amended to revise Article XI by increasing the signature requirements for initiative, referendum and recall to thirty percent (30%) of the votes cast in the last regular election but not less than five hundred (500) by amending Section 11.01; and to allow for a public hearing prior to calling a recall election by amending Section 11.03?

	ABSENTEE	EARLY VOTING	ELECTION DAY	TOTAL	PERCENTAGE
FOR	8	293	174	475	67.19%
AGAINST	3	148	81	232	32.81%

Proposition C **was approved.**

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

SECTION 1.

The declarations and findings contained in the preamble of this Resolution are hereby found to be true and correct and shall be made a part hereof.

SECTION 2.

The City Council hereby finds and declares that the said City Council election for Places 1, 3, and 5 was held on May 4, 2019, at which election qualified voters were given the opportunity to vote for the purpose of electing City Council Members.

SECTION 3.

The City Council further finds and declares that such returns are correct, and adopts them as the returns of the election held May 4, 2019, together with the tabulation of the total number of votes received.

SECTION 4.

The City Council further finds the following persons be declared elected to the office of City Council:

That **Josh Altom** is hereby declared to be elected to the Office of City Council - Place 1 of the City of Kennedale, Texas for a term of office for two years.

That **Chad Wandel** is hereby declared to be elected to the Office of City Council - Place 5 of the City of Kennedale, Texas for a term of office for two years.

SECTION 5.

The City Council further finds that the results of the special election as set forth above are correct and the canvass of votes is hereby approved.

SECTION 6.

The City Council hereby declares the amendments to the charter, approved by the voters, to be adopted, and directs the City Secretary to enter this Resolution as an Order of the Council into the records of the City.

SECTION 7.

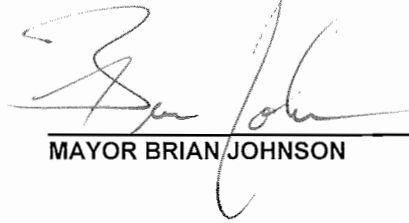
The Mayor, pursuant to Section 9.007, Texas Local Government Code, is hereby authorized to certify to the Secretary of State an authenticated copy of the charter amendments under the City's seal showing the approval by the voters of the City.

SECTION 8.

This resolution shall be in full force and effect from and after its passage and it is so resolved.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF KENNEDALE ON THE 14th DAY OF MAY, 2019.

APPROVED:



MAYOR BRIAN JOHNSON

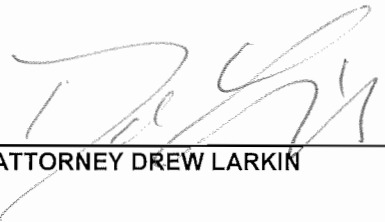
ATTEST:



CITY SECRETARY LESLIE E. GALLOWAY



APPROVED AS TO FORM AND LEGALITY:



CITY ATTORNEY DREW LARKIN