



## **ORDINANCE NO. 2017-16-05**

AN ORDINANCE OF THE CITY OF MARTINDALE, TEXAS, CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE GENERAL AND SPECIAL ELECTION HELD ON MAY 6, 2017, TO ELECT A MAYOR AND CITY COUNCIL MEMBER FOR PLACE 5 AND A SPECIAL ELECTION TO FILL AN EXPIRING APPOINTED TERM FOR PLACE 1 AND A NON-BINDING PROPOSITION ON WHETHER THE CITY SHALL HIRE A CITY ADMINISTRATOR; AND INCLUDING PROCEDURAL PROVISIONS; A PROVIDING AN EFFECTIVE DATE.

### **RECITALS:**

1. The positions of Mayor and City Council Members for Places 2 and 5 were scheduled to be filled in a general and special election on May 6, 2017.
2. The Council Member for Council Place 1 resigned, and the person appointed to fill this vacancy serves only until May 6, 2017 and a Special Election was called to fill the expiring appointed term.
3. The City Council voted to place a non-binding referendum on the May 6, 2017 ballot to seek guidance from the Citizens of Martindale on whether to hire a City Administrator.
4. No proposed candidates qualified for placement on the May 6, 2017 ballot.
5. The City Clerk, Sylvia Gomez, has submitted to the City Council the results of this election as they were tabulated by the Caldwell County Elections Administrator Pamela Ohlendorf, with whom the City contracted with to conduct the election.
6. The City Council wishes to canvass the results of this election based on the tabulation submitted by the City Clerk.

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

**SECTION 1.** The City Council finds that the facts set forth in the recitals of this resolution are true and correct.

**SECTION 2.** The canvass of the returns of the regular and special election held on May 6, 2017 reflects the following results.

Precinct 301

<b>POSITION</b>	<b>CANIDATE</b>	<b>VOTES</b>
Mayor	Kim Smith	50
Term ending May 2019		
Council Member Place 5	Mary Alice Paul	32
Term ending May 2019	Latreese Cooke	29
Council Member Place 1	Sonja Gonzales Villalobos	42
Term ending May 2019	Audra Schiwitz	18
Proposition 1	For	32
	Against	30

Precinct 302

<b>POSITION</b>	<b>CANIDATE</b>	<b>VOTES</b>
Mayor	Kim Smith	11
Term ending May 2019		
Council Member Place 5	Mary Alice Paul	10
Term ending May 2019	Latreese Cooke	7
Council Member Place 1	Sonja Gonzales Villalobos	11
Term ending May 2019	Audra Schiwitz	3
Proposition 1	For	10
	Against	9

Total Votes

<b>POSITION</b>	<b>CANIDATE</b>	<b>VOTES</b>
Mayor	Kim Smith	61
Term ending May 2019		
Council Member Place 5	Mary Alice Paul	42
Term ending May 2019	Latreese Cooke	36
Council Member Place 1	Sonja Gonzales Villalobos	53
Term ending May 2019	Audra Schiwitz	21
Proposition 1	For	42

**SECTION 3.** In accordance with the canvass of the returns of the general and special election held on May 6, 2017, the following persons were duly elected to the respective positions shown and the results of Proposition 1 are as follows.

Mayor	Kim Smith
Council Member Place 5	Mary Alice Paul
Council Member Place 1	Sonja Gonzales Villalobos
Proposition 1	For

**SECTION 4.** All ordinances and resolutions, or parts thereof which are in conflict or inconsistent with any provision of this Ordinance are repealed to the extent of such conflict.

**SECTION 5.** If any provision of this Ordinance or the application thereof to any person or circumstance is held invalid by a court of competent jurisdiction, the remainder of the Ordinance and application of such provision to other persons and circumstances will nevertheless be valid, and this Council declares that this Ordinance would have been enacted without the invalid provision.

**SECTION 6.** The Council finds, determines and declares that the meeting at which this ordinance was adopted was open to the public, and public notice of the time, place and subjects to be considered and discussed, including this Ordinance, was given, all as required by Chapter 551, Texas Government Code, as amended.

**SECTION 7.** This Ordinance will be in full force and effect from and after the date of its adoption.

**PASSED, APPROVED AND ADOPTED** on May 16, 2017.

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Randy Bunker,  
Mayor

Attest:

Approved as to Form:

\_\_\_\_\_  
Sylvia Gomez

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Floyd M. Akers

