

RESOLUTION NO.

WHEREAS, on May 9, 2009, the City of Austin held a General Election for Mayor, Place 2, Place 5, and Place 6, and a Special Election for Place 1, including an in-person early voting period from April 27 to May 5; and

WHEREAS, in accordance with Chapter 31, Texas Election Code, the Travis County Clerk conducted the election in Travis County under a contract for election services between the County and the City; and

WHEREAS, on May 18, 2009, in accordance with Chapter 67, Texas Election Code, Council canvassed the election returns for the May 9, 2009 General and Special Election, as provided by the Travis County Clerk in the Certified Final Canvass Report; and

WHEREAS, the Travis County Clerk conducted a routine post-election audit in which an error was discovered in the report of returns from one early vote location; and

WHEREAS, the investigation conducted by the Travis County Clerk shows that 109 ballots from one machine at the early vote location were not counted; and

WHEREAS, the error does not affect the outcome of any race on the ballot in the General or Special election; and

WHEREAS, the Travis County Clerk's Office has submitted to Council a revised Certified Final Canvass Report; and

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

After considering the revised Report submitted by the Travis County Clerk, the Council by this Resolution accepts the revised Report to ensure a complete and public record of the votes cast in the May 9 General and Special elections.

ADOPTED: _____, 2009

ATTEST: _____
Shirley A. Gentry
City Clerk