

ORDINANCE NO. 2015-09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SIMONTON, TEXAS, DECLARING THE UNOPPOSED CANDIDATES FOR THE THREE (3) OFFICES: THREE COUNCILMEN OR COUNCILWOMEN-AT-LARGE AS ELECTED; PROVIDING THAT THE MAY 9, 2015, REGULAR MUNICIPAL ELECTION SHALL NOT BE HELD HOWEVER THE SPECIAL ROAD TAX ELECTION WILL BE CONDUCTED ON MAY 9, 2015; REPEALING ALL ORDINANCE OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THE ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW; DECLARING AN EMERGENCY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Simonton, Texas, adopted Ordinance No. 2015-03 on February 17, 2015, ordering a Regular Municipal Election to be held on May 9, 2015, for the purpose of electing three officials of the City, to wit: Three (3) Councilmen or Councilwomen-at-Large; and

WHEREAS, pursuant to Sections 143.007 and 146.054, Texas Election Code, the deadline for filing applications for a place on the ballot and declaration of write-in candidacy for the City's Regular Municipal Election have expired; and

WHEREAS, the City Secretary, in accordance with Section 2.052, Texas Election Code, has certified in writing to the City Council that Todd Lippincott is unopposed for election to the office of Councilman-at-Large, Mark Lynch is unopposed for election to the office of Councilman-at-Large, and Jeff Young is unopposed for election to the office of Councilman-at-Large; and

WHEREAS, the City Council hereby finds and determines that the candidates whose name are to appear on the ballot in said election are unopposed, there are no declared write-in candidates, and no propositions to appear on the ballot for said election; and

WHEREAS, the City Council of the City of Simonton, Texas, adopted Ordinance No. 2015-04 on February 17, 2015, ordering a Special Municipal Election to be held on May 9, 2015, for the purpose of reauthorizing of a local sales and use tax in the City of Simonton, Texas, at the rate of one-fourth of one percent to continue providing revenue for maintenance and repair of municipal streets will remain to be held on May 9, 2015;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SIMONTON THAT:

1.

The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

2.

In accordance with Section 2.053(a), Texas Election Code, the following unopposed candidates are hereby declared duly elected to the respective offices shown and shall be issued a Certificate of Election following the date on which the regular municipal election for the three (3) Aldermen or Alderwomen-at-Large was to have been held:

Councilman-at-Large – Todd Lippincott

Councilman-at-Large – Mark Lynch

Councilman-at-Large – Jeff Young

3.

Pursuant to Section 2.053(b), Texas Election Code, the regular municipal election for the (3) Councilmen or Councilwomen called and ordered by Simonton Ordinance No. 2015-03 for May 9, 2015, shall not be held and is hereby canceled however Simonton Ordinance No. 2015-04 called and ordered by Simonton Council to hold the special road tax election will continue to be conducted on May 9 2015.

4.

The City Secretary is hereby directed to cause a copy of this Ordinance to be posted on Election Day, same being May 9, 2015, at all polling places that would have been used in such election.

5.

All ordinance or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

6.

The Ordinances of the City of Simonton, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

7.

Should any section, paragraph, sentence, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby, and to this end the provisions of this ordinance are declared to be severable.

8.

It is hereby found and determined that the meeting at which this ordinance was passed was open to the public as required by Section 551.001 et. seq., Texas Government Code, and that advance public notice of the time, place and purpose of said meeting was given.

9.

This ordinance shall take effect immediately upon its first and only reading.

PRESENTED AND GIVEN first and only reading, passed and approved this 17th day of March, 2015, by a vote of 5 ayes and 0 noes at a regular meeting of the City Council of the City of Simonton, Texas.

City of Simonton


Daniel McJunkin, Mayor

Attest:


S. Elliott, City Secretary