

ORDINANCE NO. 2021 – 2-25

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RISING STAR, TEXAS, ORDERING THE CANCELLATION OF THE GENERAL ELECTION SCHEDULED FOR MAY 1, 2021; DECLARING THE UNOPPOSED CANDIDATES FOR TWO AT-LARGE CITY COUNCIL MEMBER OFFICES TO BE ELECTED TO OFFICE; DIRECTING THE CITY SECRETARY TO TAKE CERTAIN ACTIONS PERTAINING TO THE CANCELLATION OF THE GENERAL ELECTION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

WHEREAS, a General Election was called for May 1, 2021, for the purpose of electing two (2) at large City Council members; and

WHEREAS, the City Secretary has certified in writing that each candidate is unopposed for election to office pursuant to the Certification of Unopposed Candidates attached hereto as Exhibit “A”; and

WHEREAS, the filing deadlines for placement on the ballot and declaration of write-in candidacy have passed; and

WHEREAS, under such circumstances, Chapter 2, Subchapter C, of the Texas Election Code (Section 2.051, *et seq.*), authorizes the City Council to declare each and every unopposed candidate elected to office and cancel the election.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RISING STAR, TEXAS, THAT:

Section 1. Findings of Fact. All of the above premises and recitations are found to be true and correct and are incorporated into the body of this Ordinance as findings of fact, as if copied herein in their entirety.

Section 2. Elected Candidates. The following candidates, who are unopposed for the May 6, 2017 General Election, are hereby declared elected to office, and a certificate of election shall be issued to each candidate following the time the election would have been canvassed.

Councilmember, at-large	<u>Ben Childers</u>
Councilmember, at-large	<u>Betsy Herron</u>

Section 3. Cancellation of Election. The May 1, 2021 General Election is hereby canceled, and the City Secretary is directed to cause a copy of this Ordinance to be posted on Election Day at each polling place used or that would have been used in the election.

Section 4. Directions to City Secretary. The City Secretary is hereby directed to post a copy of this Ordinance on the bulletin board at City Hall and, on Election Day, a copy of this Ordinance shall be posted on the door of the polling place. Such posting at the polling place shall be made in a manner to be readable to persons outside the polling place.

Section 5. Severability. It is declared to be the intent of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance is declared invalid by the judgment or decree of a court of competent jurisdiction, the invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance since the City Council would have enacted them without the invalid portion.

Section 6. Open Meetings. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and public notice of the time, place and purpose of said meeting was given, as required by the Texas Open Meetings Act, Chapter 551, Texas Government Code.

Section 7. Effective Date. This Ordinance shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

PASSED, APPROVED AND ADOPTED this the 25 day of February, 2021.

CITY OF RISING STAR


Sunny L. Carpenter Mayor

ATTEST:


Jan Clark, City Administrator/City Secretary

APPROVED AS TO FORM:

William P. Chesser, City Attorney

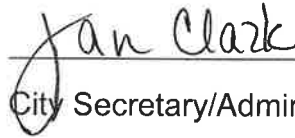
CERTIFICATION OF UNOPPOSED CANDIDATES

By the CITY SECRETARY

I, Jan Clark, certify that I am the City Secretary of the City of Rising Star, Texas and the authority responsible for preparing the ballot for the May 1, City Election. I further certify that no person has made a declaration of write-in candidacy, and all of the following candidates are unopposed:

Ben Childers

Betsy Herron



City Secretary/Administrator
City of Rising Star

Dated this 18 day of February, 2021