

ORDINANCE

NO. OR03-2021-09

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CLEBURNE, TEXAS, ACCEPTING CERTIFICATE OF UNOPPOSED CANDIDATES FOR THE OFFICES OF COUNCILMEMBER, SINGLE MEMBER DISTRICT TWO AND COUNCILMEMBER, SINGLE MEMBER DISTRICT THREE; DECLARING THE MAY 1, 2021 GENERAL ELECTION CANCELLED AND THE UNOPPOSED CANDIDATES ELECTED TO OFFICE; PROVIDING FOR POSTING OF NOTICE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Cleburne 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, the City Council of the City of Cleburne, Texas, adopted Ordinance No. OR02-2021-05 on February 9, 2021, ordering a General Election to be held on May 1, 2021, for the purpose of electing Councilmembers representing Single Member Districts Two and Three; and

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

WHEREAS, Section 2.053, Texas Election Code, authorizes the governing body of a political subdivision, by order or ordinance, to declare each unopposed candidate elected to office and to cancel the election; and

WHEREAS, the City Secretary, in accordance with Section 2.052, Texas Election Code, has certified in writing to the City Council that Chris Boedeker is unopposed for election to the office of Councilmember, Single Member District Two and Mike Mann is unopposed for election to the office of Councilmember, Single Member District Three; and

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

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

SECTION ONE. Pursuant to Section 2.053(b), Texas Election Code, the General Election for Councilmembers representing Single Member Districts Two and Three called and ordered to be held May 1, 2021 by Ordinance No. OR02-2021-05 is hereby cancelled.

SECTION TWO. 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 on or after May 1, 2021, the date which the General Election for Councilmembers for Single Members Districts Two and Three would have been held:

Councilmember, Single Member District Two – Chris Boedeker
Councilmember, Single Member District Three – Mike Mann

SECTION THREE. The candidates-elect so named in Section Two of this Ordinance shall be administered the Oath of Office at Cleburne City Hall and may exercise the duties of office at the beginning of the first regular meeting of the Council after May 1, 2021, the date which the General Election for Councilmembers for Single Member Districts Two and Three would have been held.

SECTION FOUR. The City Secretary is hereby directed to cause a copy of the Order of Cancellation to be posted on Election Day, same being May 1, 2021, at all polling places that would have been used in such election.

SECTION FIVE. 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 advanced public notice of the time, place and purpose of said meeting was given.

SECTION SIX. The facts and matters set forth in the preamble of this Ordinance and Order of Cancellation are hereby found to be true and correct and are incorporated herein and made a part hereof for all purposes.

SECTION SEVEN. This Ordinance shall become effective immediately from and after the date of its passage.

PASSED AND APPROVED this the 9th day of March 2021 at a Regular Meeting of the City Council of the City of Cleburne, Texas.



Ivy Peterson
Ivy Peterson, City Secretary

CITY OF CLEBURNE

BY: *Scott Cain*

Scott Cain, Mayor