

ORDINANCE #003-13

AN ORDINANCE OF THE CITY OF DE LEON, TEXAS, DECLARING CANDIDTES FOR AT LARGE COUNCIL MEMBERS PLACE 3, PLACE 4 AND PLACE 5 UNOPPOSED; DECLARING CADIDATES FOR AT LARGE COUNCIL MEMBER PLACE 3, PLACE 4 AND PLACE 5 ELECTED; PROVIDING FOR THE CANCELLATION OF THE MAY 11, 2013, GENERAL ELECTION; PROVIDING FOR SEVERABILITY; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT

WHEREAS, pursuant to City of De Leon, Texas, Ordinance #001-13 and 002-13, passed, approved and adopted on February 14, 2013, for the purpose of electing at large council members for Place 3, Place 4 and Place 5; and

WHEREAS, pursuant to said Ordinance #001-13 and 002-13 and Section 143.007 and 146.054 of the TEXAS ELECTION CODE, the deadline to filing applications for a place on the ballot and declaration of write-in candidacy for the City's municipal officers' election has expired; and

WHEREAS, the City Secretary, in accordance with Section 2.052, TEXAS ELECTION CODE, has certified to the City Council in writing that Ronald "Chipper" Johnson is unopposed for election to the office of Council member Place 3; Bobby Schuman is unopposed for election to the office of Council member Place 4; and Michael Cord Dyson is unopposed for election to the office of Council member Place 5. A copy of the Certification of Unopposed Candidates labeled Exhibit A is attached hereto and made a part hereof; 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; and no proposition is to appear on the ballot for such election; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DE LEON, TEXAS:

Section 1. The facts and matters set forth in the preamble of this ordinance are hereby found to be true and correct.

Section 2. In accordance with Section 2.053, TEXAS ELECTION CODE, the following unopposed candidates are hereby declared duly elected to the respective offices shown and shall be issued a certification of election following the date the election was to have been held in accordance with the Texas Election Code:

Ronald "Chipper" Johnson	Council Member Place 3
Bobby Schuman	Council Member Place 4
Michael Cord Dyson	Council Member Place 5

Section 3. Pursuant to Section 2.053(b), TEXAS ELECTION CODE, the general municipal officer's election heretofore called and ordered by the City of De Leon, Texas, Ordinance #001-13 and #002-13, for the 11th day of May, 2013, shall not be held and is hereby cancelled.

Section 4. The City Secretary is hereby directed to cause a copy of this ordinance to be posted on election day, May 11, 2013, at the polling places that would have been used in such election.

Section 5. In the event any cause, phrase, provision, sentence, or part of this ordinance or the application of same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair or invalidate this ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional: and the City Council of the City of De Leon, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 6. All ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

PASSED AND APPROVED on the first reading this the 25th day of April, 2013.

PASSED, APPROVED AND ADOPTED on the second and final reading this the 9th day of May, 2013.



Karen Wilkerson,
City Administrator/Secretary

Lowell Ercanbrack,
Mayor