

CITY OF ROLLINGWOOD

ORDINANCE NO. 2017-09-06

**ORDINANCE OF THE CITY OF ROLLINGWOOD, TEXAS,
DECLARING THE ELECTION OF MICHAEL DYSON, WENDI
HUNDLEY, AND ROBERT DILLARD TO THE OFFICES OF
ALDERPERSON, PROVIDING FOR COMPLIANCE WITH THE TEXAS
ELECTION CODE REGARDING NOTICE OF SUCH DECLARATION;
AND PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.**

WHEREAS, the City Council ordered an election to be held on November 7, 2017 to fill expirations in the terms of three offices of Alderperson;

WHEREAS, both the deadline for candidates to file an application to appear on the ballot and the deadline to file a declaration to appear as a write-in candidate in such election have passed;

WHEREAS, no one has filed a declaration to appear as a write-in candidate, and only Michael Dyson, Wendi Hundley, and Robert Dillard and have filed applications to appear on the ballot for one of the three vacancies to be filled in the expiring offices of Alderperson without having later timely and properly withdrawn from the election in conformance with Texas Election Code Chapter 145;

WHEREAS, the City Secretary has delivered a certification to the City Council pursuant to Texas Election Code Section 2.052 certifying that Michael Dyson, Wendi Hundley, and Robert Dillard are unopposed in filling the three vacancies in the expiring offices of Alderperson; and

WHEREAS, Texas Election Code Section 2.053 provides that the City Council may declare each unopposed candidate elected to the office.

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

SECTION 1. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council, and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2. Michael Dyson, Wendi Hundley, and Robert Dillard are hereby declared elected to the offices of Alderperson, to assume such office in the time and manner as though elected at the election on November 7, 2017. The election to fill the three vacancies in expiring offices of Alderperson previously ordered for November 7, 2017 shall not be held.

SECTION 3. In conformance with Texas Election Code Section 2.053, a copy of this ordinance shall be posted on election day at each polling place in the November 7, 2017 election.

The ballots to be used in such election shall include the offices and names of the candidates hereby declared elected, which shall be listed separately under the heading "Unopposed Candidates Declared Elected" after the measure appearing on the ballot for reauthorization of a sales and use tax for street maintenance.

SECTION 4. Severability. Should any part, sentence or phrase of this Ordinance be determined to be unlawful, void or unenforceable, the validity of the remaining portions of this Ordinance shall not be adversely affected. No portion of this Ordinance shall fail or become inoperative by reason of the invalidity of any other part. All provisions of this Ordinance are hereby declared to be severable.

SECTION 5. Effective Date. This Ordinance is effective immediately upon its passage and approval.

DULY PASSED AND ADOPTED by the City Council of the City of Rollingwood, Texas, on the ___ day of September 2017.

Roxanne McKee, Mayor

ATTEST:

Robyn Ryan, City Secretary