

ORDINANCE NUMBER 2008-06

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SHOREACRES, TEXAS DECLARING THE UNOPPOSED CANDIDATES FOR THE OFFICES OF MAYOR AND TWO (2) AT-LARGE POSITIONS OF ALDERMEN AS ELECTED; PROVIDING THAT THE MAY 10, 2008 REGULAR MUNICIPAL ELECTION SHALL NOT BE HELD; REPEALING ALL ORDINANCES 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; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City Shoreacres, Texas adopted Ordinance number 2008- 03 on February 11, 2008, ordering a regular municipal election to be held on May 10, 2008 for the purpose of electing three officials of the city to wit: Mayor and two (2) At-Large Aldermen positions; and

WHEREAS, pursuant to Section 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 Jayo Washington is unopposed for election to the office of Mayor; and that Thomas Revak is not seeking re-election to the office of Alderman; and that G. T. "Gerry" Victor whom is seeking re-election to the office of Alderman and Robert F. Plant are both newly elected to Aldermen At-Large positions since both are unopposed; and

WHEREAS, the City Council hereby finds and determines that the candidates whose names 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 in said election;

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

Section 1. The facts and matter set forth in the preamble of this Ordinance are hereby to be true and correct.

Section 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 Mayor and two (2) At-Large Aldermen was to have been held:

Mayor, Jayo Washington
Alderman at-Large, G. T. "Gerry" Victor
Alderman at-Large, Robert F. Plant

Section 3. Pursuant to Section 2.053(b), Texas Election Code, the regular municipal election for Mayor and two (e) Alderman at-Large called and ordered by Ordinance number 2008-03 for May 10, 2008, shall not be held and is hereby canceled.

Section 4. The City Secretary is hereby directed to cause a copy of this Ordinance to be posted on election day, same being May 10, 2008, at all polling places that would have been used in such election.

Section 5. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section 6. The Code of the City of Shoreacres, Texas as amended, shall remain in full force and effect, save and except as amended by this ordinance.

Section 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.

Section 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 the advance public notice of the time, place and purpose of said meeting was given.

PASSED AND APPROVED THIS 24TH DAY OF MARCH 2008.

Jayo Washington, Mayor

ATTEST:

David K. Stall, City Secretary