

ORDINANCE NO. 2020-07

AN ORDINANCE OF THE CITY OF WIMBERLEY, TEXAS, DECLARING UNOPPOSED CANDIDATES IN THE MAY 2, 2020 GENERAL ELECTION ELECTED TO OFFICE; CANCELLING THE GENERAL ELECTION; PROVIDING FOR SEVERABILITY, CONFLICTING PROVISIONS, GOVERNING LAW, PROPER NOTICE AND OPEN MEETING, AND AN EFFECTIVE DATE.

WHEREAS, the General Election was called and ordered for Saturday, May 2, 2020, by Ordinance No. 2020-01 for the purpose of electing at-large a Mayor and two (2) City Council Members for Place Two and Place Four to the Wimberley City Council; and

WHEREAS, the City Secretary has certified in writing that no person has made a declaration of write-in candidacy, and that each candidate on the ballot is unopposed for election to office; and

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

WHEREAS, under these circumstances, Subchapter C of Chapter 2 of the Election Code authorizes the City Council to declare the unopposed candidates elected to office and cancel the election;

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

I. The following candidates who are unopposed in the May 2, 2020 General Election are declared elected to office, and shall be issued a certificate of election following the time the election would have been canvassed:

General Election

Mayor	Gina Fulkerson
City Council, Place Two	Teresa Shell
City Council, Place Four	Jim Chiles

II. The May 2, 2020, General Election is cancelled, and the City Secretary is directed to cause a copy of this ordinance to be posted on Election Day at each polling place that would have been used in the election.

III. Severability. If any portion of this Ordinance or the application thereof to any person or circumstance is held invalid by a court of competent jurisdiction, the remaining provisions of this Ordinance and the application of such provision to other persons and circumstances shall remain valid and in full force and effect, and the City Council hereby declares that this Ordinance would have been enacted without such invalid provision.

VII. Conflicting Provisions. All orders and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Order shall be and remain controlling as to the matters ordered herein.

VIII. Governing Law. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

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

X. Authorization to Execute. The Mayor is authorized to execute and the City Secretary is authorized to attest this Ordinance on behalf of the Council; and the Mayor is authorized to do all other things legal and necessary in connection with the holding and consummation of the Election.

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

PASSED, APPROVED AND ADOPTED this 5th day of March 2020, by the City Council of the City of Wimberley.

CITY OF WIMBERLEY

By: *Susan Jagers*
Susan Jagers, Mayor

ATTEST:

Laura J. Calcote
Laura J. Calcote, City Secretary

APPROVED AS TO FORM:

[Signature]
City Attorney

