

ORDINANCE NO. 3085

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, CANCELLING THE ELECTION SCHEDULED TO BE HELD MAY 4, 1996, FOR THE PURPOSE OF ELECTING COUNCILMEMBERS FOR PLACES 3, 4 AND 5; DECLARING EACH UNOPPOSED CANDIDATE ELECTED TO OFFICE; ORDERING THE POSTING OF THIS ORDINANCE AT CITY HALL AND MUNICIPAL CENTER AND ON ELECTION DAY AT EACH POLLING PLACE; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, Resolution No. 05-96, adopted by the City Council on February 19, 1996, called an election to be held May 4, 1996, for the purpose of electing Councilmembers from Places 3, 4 and 5; and

WHEREAS, the election is for officers of the City in which write-in votes may be counted only for names appearing on a list of write-in candidates and in which each candidate whose name is to appear on the ballot is unopposed, and no proposition is to appear on the ballot; and

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

WHEREAS, the City Council has received the City Secretary's written certification that each candidate is unopposed for the election; and

WHEREAS, in these circumstances, Chapter 2, Subchapter C of the Texas Election Code, authorizes a governing body to declare each unopposed candidate elected to office and cancel the election thereby avoiding the expenses related to holding an election and saving public funds.

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

SECTION 1. That the general election for the purpose of electing Councilmembers from Places 3, 4 and 5, called to be held May 4, 1996, is hereby cancelled.

SECTION 2. That the following candidates, who are unopposed for the May 4, 1996, general election are hereby declared elected to office and shall be issued a certificate of election:

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|------------------------|-----------------|
| Councilmember, Place 3 | Steve Alexander |
| Councilmember, Place 4 | Mark Mims |
| Councilmember, Place 5 | James Folks |

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SECTION 3. That the City Secretary shall post a copy of this ordinance at City Hall and Municipal Center, and on election day shall post a copy at each polling location that would have been used in the election.

SECTION 4. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the remaining provisions of this ordinance shall remain in full force and effect.

SECTION 5. That this ordinance shall take effect immediately upon passage as the Charter in such cases provides.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 1st day of April, 1996.

Cathye Ray
Mayor

ATTEST:

Ellen Williams
City Secretary

APPROVED:

B.J. Smith
City Attorney