

Ordinance No. 1998-04-07-003

AN ORDINANCE OF THE CITY OF KEMPNER, TEXAS, CANCELLING THE MAY 1998 GENERAL ELECTION FOR THE CITY; DECLARING CANDIDATES ELECTED TO OFFICE; MAKING FINDINGS OF FACT; AND PROVIDING FOR OTHER RELATED MATTERS.

Whereas, SubChapt. C, Chapt. 2, Tex. Elec. Code, authorizes candidates who are unopposed for election to the city council, to be declared elected;

Whereas, Section 2.052, Tex. Elec. Code, requires the City Secretary to certify in writing that a candidate is unopposed if only one candidate name is to be placed on the ballot for an office pursuant to Section 52.003, Tex. Elec. Code, and no candidate's name is to be placed on the ballot as a write-in for such office;

Whereas, Section 2.054, Tex. Elec. Code, authorizes the governing body of cities to declare unopposed candidates to be elected, upon receipt of the Section 2.052 certification;

Whereas, the City Secretary has certified that Linda Mosley, Roger Fancher, Mayor
Paul Cook, Sylvia Tucker, Dora Silva
each applied to be on the ballot for separate city councilmember offices and are unopposed for such separate offices; and

Whereas, there are no contested offices for the May 2, 1998 general city election, the general city election is unnecessary and cancellation thereof will serve the public convenience and save public funds;

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

Section 1. Findings of Fact. All of the above premises and recitations are found to be true and correct and are incorporated into the body of this ordinance as findings of fact, as if copied herein in their entirety.

Section 2. Candidates Elected. Roger Fancher, Mayor
Paul Cook, PL.1, Sylvia Tucker, PL.2,
Dora Silva, PL.3, withdrawn PL.4, and Linda Mosley, PL.5 are hereby declared to be elected to the city council for the respective city council offices for which they filed.

Section 3. Cancellation of General Election. There being no contested offices and the declaration in Section 2 above having been made, pursuant to the authority of Section 2.053(b), Tex. Elec. Code, the May 2, 1998 general election of the City shall not be held.

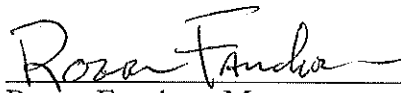
Section 4. Directions to City Secretary. The City Secretary is hereby directed to post a copy of this ordinance on the bulletin board at the city hall and, on election day, a copy of this ordinance shall be posted on the door of the polling place. Such posting at the polling place

shall be made in a manner to be readable to persons outside the polling place. The City Secretary shall further issue to each person declared elected, as named in Section 2, a certificate of election as provided in Section 2.053(c), Tex. Elec. Code.

Section 5. Open Meetings. It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and public notice of the time, place and purpose of said meeting was given, as required by the Open Meetings Act, Chapter 551, Texas Government Code.


PASSED, APPROVED AND ADOPTED this the 7th day of April 1998.

City of Kempner, Texas



Roger Fancher, Mayor

Attest:



Frances Spinney, City Secretary

Approved:



Barney L. Knight, City Attorney