

ORDINANCE NUMBER 01-17

AN ORDINANCE OF THE BOARD OF ALDERMEN OF THE CITY OF PLANTERSVILLE, TEXAS, ESTABLISHING STAGGERED, TWO-YEAR TERMS OF OFFICE FOR THE MAYOR AND ALDERMEN; PROVIDING FOR A REPEALER, AND PROVIDING FOR SEVERABILITY.

* * *

WHEREAS, the City of Plantersville, Texas (the "City"), is a newly created governmental entity incorporated pursuant to the laws of the State of Texas as a Type B General-Law Municipality following an election of May 6, 2017; and

WHEREAS, the Board of Aldermen was selected by the qualified voters at an election on November 7, 2017; and

WHEREAS, Section 23.026 of the Texas Local Government Code authorized the governing body of a Type B General-Law Municipality, such as the City, to provide for two-year staggered terms of office for the Mayor and Aldermen; and

WHEREAS, the Board of Aldermen finds that the establishment of staggered, two-year terms of office is in the public interest; and

WHEREAS, the Board of Aldermen, in accordance with the Section 23.026 (b) of the Texas Local Government Code, shall determine the two Aldermen who shall serve two-year terms by drawing lots at the first meeting of the City following the annual municipal general election held after this Ordinance is adopted; now therefore

BE IT RESOLVED BY THE BOARD OF ALDERMEN OF THE CITY OF PLANTERSVILLE, TEXAS

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

Section 2. Terms of Office – Enactment Provisions

(A) Purpose

This Ordinance is enacted so that the Board of Aldermen may promote efficient administration in the governance of the City in compliance with the authority granted to Type B General-Law Municipalities by the Legislature of the State of Texas.

(B) Two-year terms

The regular term of office for the positions of Mayor and members of the Board of Aldermen shall be two (2) years.

(C) Staggered terms

The terms of office of the Mayor and Board of Aldermen shall be staggered so that the Mayor and two (2) members of the Board of Aldermen shall be elected in even-numbered years and three (3) members of the Board of Aldermen shall be elected in odd-numbered years.

(D) Initial Application

The Mayor and Board of Aldermen are currently serving an initial term of one year, which term commenced after the official canvass and administration of the oath of office following the November 7, 2017 general election, and which will expire on the November uniform election date in 2018 or as soon as the oath of office for the next term of office following the official canvass of that election is administered, whichever is later.

After the election results for the Mayor and Board of Aldermen, in the upcoming uniform general municipal election to be conducted in November 2018, are canvassed and the oath of office is administered, the newly elected Board of Aldermen members shall draw lots at the first meeting of the City after such election to determine which two Aldermen shall serve a two-year

term with the Mayor. The remaining three Aldermen shall hold office for an initial staggering term of one year. Thereafter, all Board of Aldermen members of the City shall serve for a term of two years.

(E) Continuing Application

Following expiration of the initial staggering two-year term of the Mayor and two Aldermen, the office of the Mayor and two Aldermen shall be elected for two-year terms in each even-numbered year. Such election shall be conducted at the November uniform election on even-numbered years.

Following expiration of the initial staggering one-year term of the three Aldermen, the office of the three Aldermen shall be elected for two-year terms in each odd-numbered year. Such election shall be conducted at the November uniform election of odd-numbered years.

Section 3. All ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

Section 4. In the event any clause, phrase, provision, sentence, or part of the Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the Board of Aldermen of the City of Plantersville, Texas declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

PASSED AND APPROVED by a vote of five (5) "ayes" in favor and zero (0) "nays" against on the first and final reading on the 11th day of December, 2017.

ATTEST:

APPROVED:

City Secretary

Karen Hale
Mayor