



City of Dilley

ORDINANCE NO. 15-03-10

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF DILLEY, TEXAS DECLARING THE UNOPPOSED CANDIDATES FOR THE OFFICES OF MAYOR, COUNCIL MEMBER PLACE 1 (ONE), AND COUNCIL MEMBER PLACE 2 (TWO) AS ELECTED; PROVIDING THAT THE MAY 9, 2015, REGULAR MUNICIPAL ELECTION SHALL NOT BE HELD; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH, PROVIDING A SAVING CLAUSE, PROVIDING A SEVERABILITY CLAUSE, FIND AND DETERMINING THAT THE MEETING AT WHICH THE ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW; DECLARING AN EMERGENCY; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Dilley, Texas ordered a Municipal Election on February 10, 2015, ordering a regular municipal election to be held on May 9, 2015, for the purpose of electing three officials of the City, to wit: Mayor, Council Member Place 1, and Council Member Place 2, and

WHEREAS, pursuant to sections 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 Mary Ann Obregon is unopposed for election to the office of Mayor, Joanna Olivarez Diaz is unopposed for election to the office of Council Member Place 1 and Esther Garcia Davalos is unopposed for election to the office of Council Member Place 2; 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 for said election;

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

1.

The facts and matters set forth in the preamble of this ordinance are hereby found to be true and correct.

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 , Council Member Place 1 (One) and Council Member Place 2 (Two) was to have been held:

Mayor – Mary Ann Obregon
Council Member Place 1 – Joanna Olivarez Diaz
Council Member Place 2 – Esther Garcia Davalos

3.

Pursuant to Section 2.053 (b), Texas Election Code, the regular municipal election for Mayor, Council Member Place 1 (One), and Council Member Place 2 (Two), called and ordered by Order of Election, shall not be held and is hereby canceled.

4.

The City Secretary is hereby directed to cause a copy of this Ordinance to be posted on election day, same being May 9, 2015; at all polling places that would have been used in such election.

5.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

6.

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

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.

8.

It is hereby found and determined that the meeting at which this ordinance was passed was open to the public as required by sections 551.001 et seq., Texas Government Code, and that advance public notice of the time, place and purpose of said meeting was given.

9.

There exists a public emergency requiring that this ordinance be passed finally upon the date of its introduction and first reading in order to timely prepare the ballot for early voting and to meet posting requirements and other provisions contained in the Texas Election Code.


10.

This ordinance shall take effect immediately upon its first and only reading.


PRESENTED AND GIVEN first and only reading, passed and approved this the 10th day of March, 2015 by a vote of 3 ayes and 0 noes at a regular meeting of the City Council of the City of Dilley, Texas.

ATTEST:

CITY OF DILLEY



Juanita V. Gonzalez
City Secretary



Mary Ann Obregon
Mayor

APPROVED AS TO FORM:

Bobby Maldonado
City Attorney