

## **ORDINANCE NO. 789**

### **AN ORDINANCE OF THE CITY OF EVERMAN, TEXAS CANCELLING THE NOVEMBER 8, 2022 SPECIAL ELECTION; DECLARING THE UNOPPOSED CANDIDATE FOR THE OFFICE OF CITY COUNCIL PLACE 2 AS ELECTED; AND PROVIDING FOR NOTICE OF THE CANCELLATION OF THE ELECTION, SEVERABILITY, AND AN EFFECTIVE DATE.**

**WHEREAS,** the City Council (“Council”) of the City of Everman, Texas (the “City”) wishes to cancel the Special Election that was to be held on November 8, 2022 to consider the City Council Place 2; and

**WHEREAS,** under Section 2.053(a) of the Texas Election Code, an authority may cancel an election if the election is one in which a declaration of write-in candidacy is required; and no opposed at-large race is on the ballot within that election; and each candidate whose name is to appear on the ballot is unopposed; and

**WHEREAS,** the City has a Special Election to fill a vacancy on Council to take place November 2022; and

**WHEREAS,** the City Secretary, in accordance with Sections 2.051-2.053 of the Texas Election Code, has certified in writing to the City Council that Carolyn Renfro is unopposed for election to the office of City Council, Place 2.

**WHEREAS,** the City wishes to cancel the November 8, 2022 Special Election under the authority of Section 2.053(a) of the Texas Election Code; and

**WHEREAS,** the City finds that this Ordinance was passed and approved at a meeting of the City Council of the City of Everman held in strict compliance with the Texas Open Meetings Act at which a quorum of the City Council Members was present and voting.

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

**Section 1.** The November 8, 2022 Special Election to vote on City Council Place 2 is hereby canceled.

**Section 2.** The following unopposed candidates in the November 8, 2022 Special Election for the City of Everman are hereby declared elected to the office of City Council, Place 2, subject to the taking of their oaths as provided by the laws of the State of Texas: Carolyn Renfro.

**Section 3.** The City Secretary is directed to post a copy of this Ordinance at each designated polling place that would have been used on November 8, 2022.

**Section 4.**     Severability. If any clause or provision of this Ordinance shall be deemed to be unenforceable for any reason, such unenforceable clause or provision shall be severed from the remaining portion of the Ordinance, which shall continue to have full force and effect.

**Section 5.**     Repeal. This Ordinance shall be and is hereby cumulative of all other ordinances of the City of Everman, Texas, and this Ordinance shall not operate to repeal or affect any of such other ordinances except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this Ordinance, in which event such conflicting provisions, if any, in such other Ordinances, are hereby repealed.

**Section 6.**     Effective Date. This Ordinance shall take effect immediately after its passage.

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of Everman, on this the \_\_\_\_\_ day of \_\_\_\_\_ 2022.

**APPROVED:**

\_\_\_\_\_  
Ray Richardson, Mayor

**ATTEST:**

(CITY SEAL)

\_\_\_\_\_  
Mindi Parks, City Secretary