

ORDINANCE NO. 2024-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS, DECLARING UNOPPOSED CANDIDATES IN THE MAY 4, 2024 CITY OF MONTGOMERY GENERAL ELECTION ELECTED TO OFFICE; CANCELING THE ELECTION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Ordinance 2024-01, adopted by City Council on January 23, 2024, called the City of Montgomery, Texas General Election or the purposes of electing a Mayor and two (2) City Council Members, Place 2 and 4, for full terms; and

WHEREAS, at the deadline to file an application for a place on the ballot and the deadline to file as a declared write-in candidate, only one candidate for each position had filed to run for such position; and

WHEREAS, as prescribed in Section 2.052(a) of the Texas Election Code, the City Secretary has certified that each candidate whose name is to appear on the ballot for the May 4, 2024 General Election of the City of Montgomery is unopposed.

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

Section 1. In accordance with Section 2.053 of the Texas Election Code, the City Council hereby authorizes the cancellation of the Election of the Mayor and two City Council Members, Places 2 and 4 called for May 4, 2024 and hereby declares the following unopposed candidates elected to the following offices:

Sara Countryman – Mayor

Casey Olson – City Council Place 2

Cheryl Fox – City Council Place 4

The candidates shall be issued a Certificate of Election following the time the Election would have been canvassed. A copy of the Certification of Unopposed Candidates as certified by the City Secretary is attached hereto as Exhibit “A”.

Section 2. The City Secretary is directed to cause a copy of the Order of Cancellation, as prescribed by the Secretary of State, and Section 2.053 of the Texas Election Code, attached hereto as Exhibit “B”, to be posted on Election Day at each polling place that would have been used in the Election.

Section 3. It is declared to be the intent of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraphs or section of this ordinance is declared invalid by the judgement or decree of the court of competent jurisdiction, the invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs or sections of this ordinance since the City Council would have enacted them without the invalid portion.

Section 4. This Ordinance shall become effective immediately upon its passage.

PASSED AND APPROVED THIS _____ DAY OF FEBRUARY, 2024.

Mayor Byron Sanford

ATTEST:

Nici Browe TRMC, City Secretary

APPROVED AS TO FORM:

/s/Alan P. Petrov, City Attorney

EXHIBIT "A"

EXHIBIT "B"