

RESOLUTION NO. RE-2731-11

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, DECLARING THE UNOPPOSED CANDIDATES FOR THE OFFICES OF COUNCIL MEMBER, PLACE TWO (2) AS ELECTED; PROVIDING THAT THE NOVEMBER 8, 2011, SPECIAL ELECTION IS CANCELED

WHEREAS, the City of Mansfield is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council of the City of Mansfield, Texas, adopted Resolution No. RE-2723-11 on August 29, 2011, ordering a Special Election to be held on November 8, 2011, for the purpose of electing one official of the City, to wit: Council Member, Place Two (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 Special Election have expired; and

WHEREAS, Section 2.053, Texas Election Code, authorizes the governing body of a political subdivision, by order or ordinance, to declare each unopposed candidate elected to office and cancel the election; and

WHEREAS, the City Secretary, in accordance with Section 2.052, Texas Election Code, has certified in writing to the City Council that Brent Newsom is unopposed for election to the office of Council Member, Place Two (2); and

WHEREAS, the City Council hereby finds and determines that the candidate whose name is to appear on the ballot in said election is unopposed, there are no declared write-in candidates, and no propositions to appear on the ballot for said election;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, THAT:

SECTION 1.

Pursuant to Section 2.053(b), Texas Election Code, the Special Election for Council Member, Place Two (2) called and ordered by Resolution No. RE-2723-11 for November 8, 2011, shall not be held and is hereby canceled.

SECTION 2.

In accordance with Section 2.053(a), Texas Election Code, the following unopposed candidate is hereby declared duly elected to the respective office shown and shall be issued a certificate of election on November 8, 2011, the date which the Special Election for Council Member, Place Two (2) was to have been held:

Council Member, Place Two (2) – Brent Newsom

SECTION 3.

Pursuant to Article IV, Section 4.05, Mansfield Home Rule Charter, the candidate elect so named in Section 2 of this Resolution and Order of Cancellation shall be administered the Oath of Office at Mansfield City Hall and may exercise the duties of office at the beginning of the first regular meeting of the Council after November 8, 2011, the date which the Special Election for Council Member, Place Two (2) was to have been held.

SECTION 4.

The City Secretary is hereby directed to cause a copy of this Resolution and Order of Cancellation to be posted on Election Day, same being November 8, 2011, at all polling places that would have been used in such election.

SECTION 5.

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

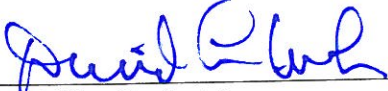
SECTION 6.

The facts and matters set forth in the preamble of this Resolution and Order of Cancellation are hereby found to be true and correct and are incorporated herein and made a part hereof for all purposes.

SECTION 7.

This resolution shall take effect immediately upon passage.

PASSED AND APPROVED THIS THE 26th DAY OF SEPTEMBER, 2011.



David L. Cook, Mayor

ATTEST:



Vicki Collins, City Secretary