

RESOLUTION NO. 22-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COLEMAN, TEXAS, ORDERING THE CANCELLATION OF THE GENERAL ELECTION SCHEDULED FOR MAY 7, 2022; DECLARING THE UNOPPOSED CANDIDATES FOR CITY COUNCIL MEMBER, PLACE NUMBER 1 (NORTH WARD) AND CITY COUNCIL MEMBER PLACE NUMBER 4 (SOUTH WARD) TO BE ELECTED TO OFFICE; DIRECTING THE CITY SECRETARY TO TAKE CERTAIN ACTIONS PERTAINING TO THE CANCELLATION OF THE GENERAL ELECTION; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND PROVIDING AN OPEN MEETINGS CLAUSE.

WHEREAS, a General Election was called for May 7, 2022, for the purpose of electing two (2) members of the City Council of the City of Coleman for a two (2) year term; and

WHEREAS, the City Secretary has certified in writing that each candidate is unopposed for election to office pursuant to the Certification of Unopposed Candidates attached hereto as Exhibit "A"; and

WHEREAS, the filing deadlines for placement on the ballot and declaration of write-in candidacy have passed; and

WHEREAS, under such circumstances, Chapter 2, Subchapter C, of the Texas Election Code (Section 2.051, *et seq.*), authorizes the City Council to declare each unopposed candidate elected to office and cancel the election.

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

Section 1. Findings of Fact. All of the above premises and recitations are found to be true and correct and are incorporated into the body of this Resolution as findings of fact, as if copied herein in their entirety.

Section 2. Elected Candidates. The following candidates, who are unopposed for the May 7, 2022 General Election, are hereby declared elected to office, and a certificate of election shall be issued to each candidate following the time the election would have been canvassed.

Place Number 1 Councilmember, North Ward – Tracy Rankin
Place Number 4 Councilmember, South Ward – Monte Sides

Section 3. Cancellation of Election. The May 7, 2022 General Election is hereby canceled, and the City Secretary is directed to cause a copy of this Resolution to be posted on Election Day at each polling place used or that would have been used in the election.

Section 4. Directions to City Secretary. The City Secretary is hereby directed to post a copy of this Resolution on the bulletin board at City Hall and, on Election Day, a copy of this Resolution shall be posted on the door of the polling place. Such posting at the polling place shall be made in a manner to be readable to persons outside the polling place.

Section 5. Severability. It is declared to be the intent of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Resolution are severable, and if any phrase, clause, sentence, paragraph, or section of this Resolution is declared invalid by the judgment or decree of a court of competent jurisdiction, the invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Resolution since the City Council would have enacted them without the invalid portion.

Section 6. Open Meetings. It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public, and public notice of the time, place and purpose of said meeting was given, as required by the Texas Open Meetings Act, Chapter 551, Texas Government Code.

Section 7. Effective Date. This Resolution shall be in full force and effect from and after its passage and publication as required by law, and it is so ordained.

PASSED, APPROVED AND ADOPTED this the 3rd day of March, 2022.

CITY OF COLEMAN



Tommy Sloan, Mayor

ATTEST:



James King, City Secretary

APPROVED AS TO FORM:



William P. Chesser, City Attorney