CITY OF COCKRELL HILL, TEXAS

ORDINANCE NO. 2024-02272024-O-ELECT

AN ORDINANCE OF THE CITY OF COCKRELL HILL, TEXAS, CANCELLING THE MAY 4, 2024, GENERAL ELECTION AND DECLARING THE UNOPPOSED CANDIDATES ELECTED TO OFFICE; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Cockrell Hill, Texas ("City"), is a Type A General Law Municipality located in Dallas County, Texas, created in accordance with provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, by Ordinance No. 2024-01232024 O-ELECT, duly passed and approved by the City Council on January 23, 2024, the City ordered a general election for the purpose of electing two (2) council members/aldermen and mayor of the City; and

WHEREAS, the City Secretary has certified in writing that the Council candidates are unopposed for the election to office; and

WHEREAS, the filing deadlines for placement on the ballot and declaration of a write-in candidacy for the Council candidates has passed; and

WHEREAS, Section 2.053 of the Texas Election Code authorizes a 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 Council hereby finds that the Council candidates for the May 4, 2024, General Election should be declared to be elected to office, and that the May 4, 2024, General Election should be canceled.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COCKRELL HILL, TEXAS:

SECTION 1. - INCORPORATION OF PREMISES

The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

Cancelling the election May 4th 2024
SECTION 2. - CANCELLATION OF ELECTION

The May 4, 2024, General Election is hereby canceled.

SECTION 3. - DECLARATION OF ELECTION TO OFFICE

The following candidates, are unopposed in the May 4, 2024, General Election, and the following are hereby declared to be elected to serve two-year terms to the offices noted as follows:

City Council, Place 1 – Miriam Rodriguez
City Council, Place 2 – Rene Franklin
City Council, Mayor – Luis D. Carrera.

They shall be issued certificates of election on or after May 4, 2024.

SECTION 4. - OATH OF OFFICE AND EXERCISE OF DUTIES

Pursuant to Title 2, Chapter 22, Sub-Chapter A, of the Texas Local Government Code each candidate elected as named in Section 3 of this Ordinance shall be administered the Oath of Office at Cockrell Hill City Hall and may exercise the duties of office on the fifth day after the May 4, 2024, General Election date, excluding Sundays.

SECTION 5. - DIRECTIONS TO CITY SECRETARY

The City Secretary is hereby directed to post a copy of this Ordinance at the following designated polling place on Election Day, May 4, 2024:

Cockrell Hill City Hall
4125 W. Clarendon
Cockrell Hill, Texas

SECTION 6. - CUMULATIVE REPEALER

This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of said Ordinances except those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances or parts thereof in force at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided, however, that any complaint, action, claim or lawsuit that has been initiated or has arisen under or pursuant to any of the Ordinances or sections thereof that have been specifically repealed on the date of adoption of this Ordinance shall continue to be governed by the provisions of such Ordinance or section thereof and for that purpose the Ordinance or section thereof shall remain in full force and effect.

Canceling the election May 4th 2024
SECTION 7. - SEVERABILITY

If any section, article, paragraph, sentence, clause, phrase, or word in this Ordinance, or application thereof to any person or circumstance, is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of the Ordinance, and the City Council hereby declares it would have passed such remaining portions of the Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 8. - ENGROSSMENT AND ENROLLMENT

The City Secretary of the City of Cockrell Hill is hereby directed to engross and enroll this Ordinance by filing this Ordinance in the ordinance records of the city.

SECTION 9. - POSTING

The City Secretary of Cockrell Hill is hereby directed to post a copy of this Ordinance at each designated polling place on May 4, 2024.

SECTION 10. - EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its date of passage.

PASSED AND APPROVED by the City Council of the City of Cockrell Hill, Texas this 27th day of February, 2024.

Luis D. Carrera, Mayor

ATTEST:

Bret Haney, City Administrator

APPROVED AS TO FORM AND LEGALITY:

Robert Brown, City Attorney

Cancelling the election May 4th 2024