

**CITY OF SANDY OAKS, TEXAS**

**RESOLUTION NO. 2020-128**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANDY OAKS, TEXAS FILLING A VACANCY ON THE CITY COUNCIL FOR THE UNEXPIRED TERM OF ALDERMAN PLACE 5 BY APPOINTMENT.**

**WHEREAS**, the City of Sandy Oaks, Texas ("City") is a Type A municipality with an Aldermanic form of government pursuant to Chapter 22 of the Local Government Code; and

**WHEREAS**, Michael E. Yelton, Sr., Alderman Place 5, submitted his resignation pursuant to Chapter 201 of the Election Code which was accepted by City Council in a properly noticed and open meeting creating a single vacancy on the City Council; and

**WHEREAS**, Chapter 22 of the Local Government Code provides if for any reason a single vacancy exists on the governing body of the municipality, a majority of the remaining members, excluding the mayor, may fill the vacancy by appointment unless an election to fill the vacancy is required by Article XI, Section 11, of the Texas Constitution; and

**WHEREAS**, it had been determined an election to fill the vacancy was not required by Article XI, Section 11, of the Texas Constitution and on September 10, 2020, the City Council appointed Jennifer Puente to the position of Alderman Place 5 to fill the vacancy by appointment until the next regular election; and

**WHEREAS**, the City's next regular election after Alderman Puente's appointment was on November 3, 2020 and therefore the term of Alderman Puente expired pursuant to section 22.010(b) of the Local Government Code creating a single vacancy on City Council; and

**WHEREAS**, it has been determined an election to fill the vacancy is not required by Article XI, Section 11, of the Texas Constitution and the City Council desires to fill the vacancy by appointment until the next regular election;

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SANDY OAKS, TEXAS:**

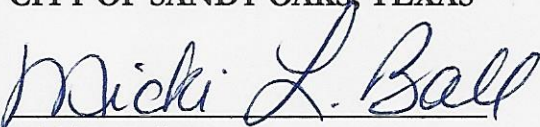
**SECTION 1. FINDINGS OF FACT.** The above recitals are hereby found to be true and correct legislative and factual findings of the City Council of the City and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

**SECTION 2. APPOINTMENT OF ALDERMAN PLACE 5.** The City Council appoints Jennifer Puente to fill the office of Alderman Place 5 for the unexpired term until the next regular municipal election pursuant to Local Government Code Section 22.010(b).

**SECTION 3. EFFECTIVE DATE.** This Resolution shall take effect immediately from and after the passage and approval of this Resolution.

PASSED AND APPROVED on this 12<sup>th</sup> day of November, 2020.

CITY OF SANDY OAKS, TEXAS

A handwritten signature in cursive script that reads "Micki L. Ball". The signature is written in dark ink and is positioned above a horizontal line.

Micki L. Ball, Mayor

ATTEST:

A handwritten signature in cursive script that reads "K. Yelton". The signature is written in dark ink and is positioned above a horizontal line.

Katherine Yelton, City Clerk