

CITY OF SANDY OAKS, TEXAS

RESOLUTION NO. 2021-141

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SANDY OAKS, TEXAS FILLING A VACANCY ON THE CITY COUNCIL FOR 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, on July 8, 2021, the City Council ordered a general election to be held on November 2, 2021 for the purpose of electing Alderman Place 1, Alderman Place 3, and Alderman Place 5 ("Election");

WHEREAS, the deadline to file an application for a place on the ballot for the Election was between July 17, 2021 and August 16, 2021; and

WHEREAS, the City Secretary received the application of one candidate for each place on the ballot within the filing period, but the candidate for Alderman Place 5 subsequently withdrew his application pursuant to Texas Election Code section 145.001;

WHEREAS, the City Council cancelled the election pursuant to Ordinance No. 2021-189 and declared the unopposed candidates for Alderman Place 1 and Alderman Place 3 elected; and

WHEREAS, the Mayor presented certificates of election to the unopposed candidates who filed for the positions of Alderman Place 1 and Alderman Place 3 who were administered the oaths of offices at the time prescribed by Texas Election Code section 67.003 and Local Government Code section 22.006;

WHEREAS, a single vacancy exists on City Council and 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 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:

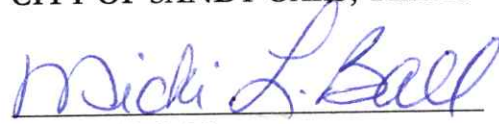
SECTION 1. FINDINGS OF FACT. The above recitals are hereby found to be true and correct legislative and factual findings of the City Council of the City and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2. APPOINTMENT OF ALDERMAN PLACE 5. The City Council appoints Michael Martinez, Jr. to fill the office of Alderman Place 5 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 11th day of November, 2021.

CITY OF SANDY OAKS, TEXAS



Micki L. Ball, Mayor

ATTEST:


Charlotte Rabe, City Clerk