

**ORDINANCE NO. 24091601**

**AN ORDINANCE OF THE CITY OF ROSEBUD, TEXAS DECLARING UNOPPOSED CANDIDATES IN THE NOVEMBER 5, 2024 GENERAL ELECTION ELECTED TO OFFICE; CANCELLING THE ELECTION FOR CONTESTS WITH UNOPPOSED CANDIDATES; DECLARATION OF VACANCY OF OFFICE; MAKING RELATED FINDINGS; AND PROVIDING FOR A SEVERABILITY AND EFFECTIVE DATE CLAUSES.**

**WHEREAS**, the laws of the State of Texas and by City Ordinance on November 5, 2024, the general uniform election date, there shall be a general municipal election in which the following officials of the City shall be elected:

<b>Office</b>	<b>Term</b>
Mayor	Two Year Term
Council Member (Alderman) Place (Ward) 1, Position 1	Two Year Term
Council Member (Alderman) Place (Ward) 2, Position 2	Two Year Term
Council Member (Alderman) Place (Ward) 3, Position 1	Two Year Term

**WHEREAS**, pursuant to Section 2.052 of the Texas Election Code, the City Secretary has certified in writing that that the candidates for the below offices are each unopposed for election to the office for which they are candidates, and that no person has made a declaration of write-in candidacy for the following contests:

<b>Office</b>	<b>Candidate</b>
Mayor	Marlene Zipperlen
Council Member (Alderman) Place (Ward) 2, Position 2	Isabel McBee
Council Member (Alderman) Place (Ward) 3, Position 1	Marla Wallace

**WHEREAS**, there were no applicants and no person has made a declaration of write-in candidacy for the following office: Councilmember Ward 1, Position 1; therefore, the office of Councilmember Ward 1, Position 1 is vacant;

**WHEREAS**, Section 2.053 of the Texas Election Code provides that on receipt of Certification of Unopposed Candidates from the City Secretary, the City Council may by ordinance declare each unopposed candidate elected to office; and

**WHEREAS**, the City Council of the City of Rosebud (“City Council”) deems it in the public interest to adopt and approve an Ordinance for the purpose of canceling the election for all contests in which the candidates are unopposed;

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROSEBUD, TEXAS:**

**Section 1. Findings of Fact.** The findings and recitations set out in the preamble to this Ordinance are found to be true and correct and they are adopted by the City Council and made a part hereof for all purposes.

**Section 2. Declaration of Elected Candidates.** The City Secretary has delivered to the City Council a Certification of Unopposed Candidates for the November 5, 2024 General City Election. The below-listed candidates, who are unopposed in the November 5, 2024 General City Election, are declared elected to the office opposite each candidates' name as listed below, and each of the below-listed candidates shall be issued certificates of election following the time that the election would have been canvassed as follows:

<b>Office</b>	<b>Candidate</b>
Mayor	Marlene Zipperlen
Council Member (Alderman) Place (Ward) 2, Position 2	Isabel McBee
Council Member (Alderman) Place (Ward) 3, Position 1	Marla Wallace

**Section 3. Cancellation of Unopposed Contests.** The November 5, 2024 General City Election is cancelled for the above unopposed contests and the City Council approves of the attached Order of Cancellation and authorizes the Mayor and the City Secretary to sign the attached Order of Cancellation.

**Section 4. Declaration of Vacancy.** There were no applicants, and no person has made a declaration of write-in candidacy, for the following office: Councilmember Ward 1, Position 1. Therefore, Councilmember Ward 1, Position 1 is declared to be vacant.

**Section 5. Posting of Ordinance and Order.** The City Secretary is directed to cause a copy of this Ordinance and the signed Order of Cancellation to be posted on Election Day at each polling place used or that would have been used in the election.

**Section 6. Severability.** It is hereby declared that the section, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance.

**Section 7. Effective Date.** This Ordinance shall become effective from and after the date of its passage in accordance with the Texas Local Gov't. Code.


**Section 8. Open Meetings.** That the City Council has found and determined that the meeting at which this Ordinance is considered is open to the public and that notice thereof was given in accordance with the provisions of the Texas Open Meetings Act, Texas Government Code, Chapter 551, as amended, and that a quorum of the City Council was present.

**PASSED AND APPROVED** on this the 18th day of September, 2024.

**ATTEST:**

**CITY OF ROSEBUD, TEXAS**

  
Cynthia Gibbs, City Secretary

  
Marlene Zipperlen, Mayor  
City of Rosebud, Texas