

City of Cottonwood Shores

ORDINANCE 1111

AN ORDINANCE OF THE CITY OF COTTONWOOD SHORES, TEXAS, PROVIDING FOR TWO-YEAR STAGGERED TERMS OF OFFICE FOR THE MAYOR AND COUNCIL MEMBERS; PROVIDING FOR DESIGNATION OF COUNCIL MEMBER SEATS; MANDATING A COUNCIL MEMBER HOLD A DESIGNATED SEAT FOR CANDIDATES TO ANNOUNCE; PROVIDING OPEN MEETINGS AND SEVERABILITY CLAUSES; AND PROVIDING FOR RELATED MATTERS.

History: September 20, 2012 – Repealed Ordinance 101603-A and adopted Ordinance 1111

WHEREAS, the City of Cottonwood Shores, Texas, (herein the "City") was incorporated as a Type A General Law Municipality;

WHEREAS, the Texas Local Government Code §22.004 requires that each elected person receive more votes than any other person for that office;

WHEREAS, the City Council designates seats to be held by Council Members to permit elections to be in compliance with Texas Local Government Code § 22.004; and

WHEREAS, the City Council, at an open meeting, accepted public comments and discussion concerning the current offices for the Mayor and Council Members and determined that two-year staggered terms for the Mayor and Council Members would provide the citizens with a rotation of the governing body sufficient to provide maximum stability in representation; and

WHEREAS, the City Council determined the necessity to designate offices to be held by each Council Member to ensure easier determination of when a candidate's office term is complete and to provide for candidates for the office to announce specifically for the office.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COTTONWOOD SHORES, TEXAS, THAT:

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Designation of Office. The City Council is composed of the Mayor and five (5) Council Members. The City Council seats are hereby numbered 1, 2, 3, 4, and 5. The next General Election of the City shall be in May 2004 for the office of three (3) Council Members. In May of 2003, the Mayor and two (2) Council Members were elected for two-year terms and shall remain seated until May of 2005.

The General Election of the City Council will be held on the first Saturday in May, or the nearest date thereto as may be required by law, each year. At the General Election to be held in 2004 and every even year thereafter, the Council Members for seats 1, 3 and 5 will be elected. At the General Election to be held in 2005 and every odd year thereafter, Council Members for seats 2 and 4 will be elected. The Mayor shall continue to be elected at each odd year during the General Election, unless otherwise provided.

For the May 2004 ballot, City Council Member seat 1 will be elected and all persons wishing to announce candidacy for this office will announce candidacy for seat 1; and, City Council Member seat 3 will be elected and all persons wishing to announce candidacy for this office will announce for seat 3; and, City Council Member seat 5 will be elected and all persons wishing to announce candidacy for this office will announce for seat 5. The candidate for seat 1 receiving the most votes at the canvass of the election shall be deemed the new Council Member for seat 1. The candidate for seat 3 receiving the most votes at the canvass of the election shall be deemed the new Council Member for seat 3. The candidate for seat 5 receiving the most votes at the canvass of the election shall be deemed the new Council Member for seat 5.

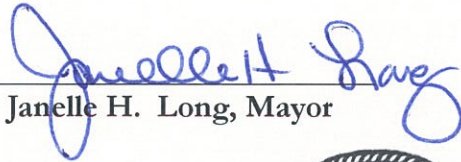
At this time, City Council Members Frank Pfeifer and Lee Hildebrand will have open positions on the May 2005 ballot. Therefore, Frank Pfeifer is hereby deemed to hold seat 2 and all persons wishing to announce candidacy for his office will announce candidacy for seat 2; and, Lee Hildebrand is hereby deemed to hold seat 4 and all persons wishing to announce candidacy for his office will announce for seat 4. The candidate for seat 2 receiving the most votes at the canvass of the election shall be deemed the new Council Member for seat 2. The candidate for seat 4 receiving the most votes at the canvass of the election shall be deemed the new Council Member for seat 4.

Section 3. Severability. Should any section or part of this ordinance be held unconstitutional, illegal, or invalid, or the application to any person or circumstance for any reasons thereof ineffective or inapplicable, such unconstitutionality, illegality, invalidity, or ineffectiveness of such section or part shall in no way affect, impair or invalidate the remaining portion or portions thereof; but as to such remaining portion or portions, the same shall be and remain in full force and effect and to this end the provisions of this ordinance are declared to be severable.

Section 4. Open Meetings. It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapt. 551, Tex. Gov't. Code.

ORIGINAL

CODIFIED ORDINANCE PASSED AND APPROVED by the City Council of Cottonwood Shores, Texas, at a meeting on the 20th day of September, 2012 with 5 votes in favor, 0 votes against and 0 abstentions.



Janelle H. Long, Mayor



Attest:



Sheila C. Moore, City Secretary