

City of Cottonwood Shores, Texas

ORDINANCE 1113

AN ORDINANCE CANVASSING THE RETURNS OF AN ELECTION OF THREE (3) COUNCIL MEMBERS FOR TWO (2) YEAR FULL TERMS AND ONE (1) COUNCIL MEMBER FOR A ONE (1) YEAR TERM

December 6, 2012 – Repealed Ordinance 244 and Adopted Ordinance 1113

WHEREAS, general and special elections were held at the Burnet County Courthouse South Annex, 810 Steve Hawkins Parkway, Marble Falls, Texas for the City of Cottonwood Shores, Texas on May 8, 2010 (the "Election") for the purpose of the election of three (3) Council Members for two (2) year full terms, and one (1) Council Member for a one (1) year term; and

WHEREAS, the City Secretary of the City of Cottonwood Shores, Texas (the "City Secretary") was presented with evidence of the ineligibility of two (2) candidates and further investigated the potential ineligibility; and

WHEREAS, after the investigation, but prior to the beginning of early voting for the Election, the City Secretary administratively declared the two (2) candidates, for Place No. 5, Janet K. Taylor, and for Place No. 4, Richard Frazier, ineligible to be candidates in the Election but that the deadline had passed for removal of their names from the ballot; and

WHEREAS, the City Council of the City of Cottonwood Shores, Texas (the "Council") has reviewed and investigated all matters pertaining to the Election, including the ordering, notices, Election officers, holding the returns thereof; and

WHEREAS, the Council hereby canvasses the returns of the Election, which was submitted to all residents; and

WHEREAS, the City has diligently inquired into the poll lists and the official Election returns which were duly and lawfully provided this Council by the judges and clerks holding and conducting the Election; the poll lists and the official Election returns showing separately the votes cast in the Election; and

WHEREAS, from these returns, this Council hereby finds that the following votes were cast in the Election by voters who were resident, qualified electors of the City; and

WHEREAS, each of the candidates in said Election received the following votes:

GENERAL ELECTION

<u>Place</u>	<u>Candidate</u>	<u>Number of Votes</u>
1	Frank Chavez	88
	Anna A. Guerrero (w)	45
3	Deavon DeLancey	68
3	Brad Kline	80
5	Janet K. Taylor	74
5	Stephen A. Sherry	76

SPECIAL ELECTION

4	Donald Orr	74
4	Richard Frazier	76

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

SECTION 1. The Council officially finds, determines, and declares that the Election was duly and properly ordered; that proper legal notice of such Election was duly given in English and Spanish; the proper Election officers were duly appointed prior to the Election; that the Election was duly and legally held; that all resident, qualified electors of the City were permitted to vote at the Election; due returns of the results of the Election had been made and delivered; and that the Council has duly canvassed such returns, all in accordance with the laws of the State of Texas and of the United States of America and the calling of the Election.

SECTION 2. The following persons are therefore elected as Council Members of the City of Cottonwood Shores, Texas for two (2) year terms:

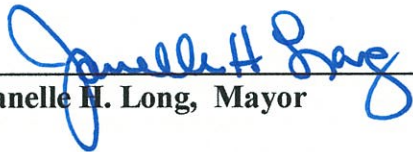
Frank Chavez	Place No. 1
Brad Kline	Place No. 3
Stephen Sherry	Place No. 5

In the special election for Place No. 4, due to the declaration of ineligibility of Richard Frazier and with him receiving the most votes in the Election, Place No.4 is hereby declared vacant and awaiting appointment by Council.

ORIGINAL

ORIGINAL ORDINANCE PASSED AND APPROVED on this the 17th day of May, 2010.

CODIFIED ORDINANCE PASSED THIS THE 6th DAY OF DECEMBER 2012, AT A MEETING OF THE CITY COUNCIL OF THE CITY OF COTTONWOOD SHORES, TEXAS, THERE BEING A QUORUM PRESENT, BY 5 YEAS AND 0 NAYS.



Janelle H. Long, Mayor



ATTEST:



Sheila C. Moore, City Secretary

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