

CITY OF OAK POINT, TEXAS

ORDINANCE NO. 2023-03-593

AN ORDINANCE OF THE CITY OF OAK POINT, TEXAS, CANCELING THE MAY 6, 2023, GENERAL ELECTION AND DECLARING THE UNOPPOSED CANDIDATES ELECTED TO OFFICE; PROVIDING FOR INCORPORATION OF PREMISES; PROVIDING A CUMULATIVE REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR ENGROSSMENT AND ENROLLMENT; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Oak Point, Texas, a Texas home-rule municipality, located in Denton, County, Texas, created in accordance with provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, by Resolution No. 2023-01-001R, duly passed and approved by the City Council of the City of Oak Point, Texas, on January 18, 2023, ordering a general election for the purpose of electing a Mayor and three (3) council members of the City of Oak Point, Texas; and

WHEREAS, the City Secretary has certified in writing that the Council candidates are unopposed for the election to office; and

WHEREAS, the filing deadlines for placement on the ballot and declaration of a write-in candidacy for the Council candidates has passed; and

WHEREAS, Section 2.053 of the Texas Election Code authorizes a governing body of a political subdivision, by order or ordinance to declare each unopposed candidate elected to office and cancel the election; and

WHEREAS, the City Council hereby finds that the Council candidates for the May 6, 2023, General Election should be declared to be elected to office, and that the May 6, 2023 General Election should be canceled.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OAK POINT, TEXAS:

SECTION 1.
INCORPORATION OF PREMISES

The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

SECTION 2.
CANCELATION OF ELECTION

The May 6, 2023, City of Oak Point, Texas, General Election is hereby canceled.

SECTION 3.
DECLARATION OF ELECTION TO OFFICE

The following candidates, are unopposed in the May 6, 2023, General Election, and are hereby declared to be elected to the offices of Council to serve two-year terms and shall be issued certificates of election on May 6, 2023: Dena Meek, Mayor; Dave Klewicki, Council Member; Paul Bastaich, Council Member; Greg Weiler, Council Member

SECTION 4.
OATH OF OFFICE AND EXERCISE OF DUTIES

Each candidate elect so named in Section 3 of this Ordinance shall be administered the Oath of Office at Oak Point City Hall and may exercise the duties of office on the fifth day after the May 6, 2023, General Election date, excluding Sundays.

SECTION 5.
DIRECTIONS TO CITY SECRETARY

The City Secretary is hereby directed to post a copy of this Ordinance at the following designated polling place on Election Day, May 6, 2023:

Oak Point Community Room
100 Naylor Road, Suite B
Oak Point, Texas 75068

SECTION 6.
CUMULATIVE REPEALER

This Ordinance shall be cumulative of all other Ordinances and shall not repeal any of the provisions of said Ordinances except those instances where there are direct conflicts with the provisions of this Ordinance. Ordinances or parts thereof in forces at the time this Ordinance shall take effect and that are inconsistent with this Ordinance are hereby repealed to the extent that they are inconsistent with this Ordinance. Provided, however, that any complaint, action, claim or lawsuit that has been initiated or has arisen under or pursuant to any of the Ordinances or sections thereof that have been specifically repealed on the date of adoption of this Ordinance shall continue to be governed by the provisions of such Ordinance or section thereof and for that purpose the Ordinance or section thereof shall remain in full force and effect.

SECTION 7.
SEVERABILITY

If any section, article, paragraph, sentence, clause, phrase, or word in this Ordinance, or application thereof to any person or circumstance, is held invalid or unconstitutional by a court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of the Ordinance, and the City Council hereby declares it would have passed such remaining portions of the Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

SECTION 8.
ENGROSSMENT AND ENROLLMENT

The City Secretary of the City of Oak Point is hereby directed to engross and enroll this Ordinance by copying the exact Caption, Section 1, Section 2 and the effective date in the minutes of the City Council of the City of Oak Point and by filing this Ordinance in the ordinance records of the city.

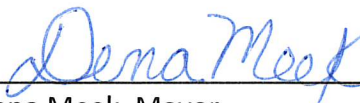
SECTION 9.
POSTING

The City Secretary of Oak Point is hereby directed to post a copy of this Ordinance at each designated polling place on May 6, 2023.

SECTION 10.
EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its date of passage.

PASSED AND APPROVED by the City Council of the City of Oak Point, Texas this 15th day of March, 2023.



Dena Meek, Mayor
City of Oak Point, Texas



ATTEST:



Joni Vaughn, City Secretary
City of Oak Point, Texas



**CERTIFICATION PURSUANT TO
SECTION 2.052, TEXAS ELECTION
CODE**

I, Joni Vaughn, City Secretary of the City of Oak Point, Texas, being the authority responsible for having the official ballot prepared for the General Municipal Officers Election to be held on May 6, 2023, do hereby certify, pursuant to Section 2.052, TEXAS ELECTION CODE, that no person has made a declaration of write-in candidacy, and all of the following candidates are unopposed:

Dena Meek is unopposed for election to the office of Mayor

Dave Klewicki is unopposed for election to the office of Council Member

Paul Bastaich is unopposed for election to the office of Council Member

Greg Weiler is unopposed for election to the office of Council Member

To certify which, witness my hand and seal of the City of Oak Point, Texas, this 15th day of March 2023 at 5:00 pm.



Joni Vaughn, City Secretary
City of Oak Point, Texas

