

**ORDINANCE NO. O24-\_\_\_\_\_**

**AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, CANCELING THE MAY 4, 2024 GENERAL ELECTION FOR THE TOWN OF ADDISON, TEXAS AND DECLARING THREE UNOPPOSED CANDIDATES FOR CITY COUNCILMEMBER POSITIONS AS ELECTED; REQUIRING POSTING OF THIS ORDINANCE AT EACH POLLING PLACE IN ACCORDANCE WITH STATE LAW; REQUIRING THE ISSUANCE OF A CERTIFICATE OF ELECTION TO EACH CANDIDATE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on January 9, 2024, the City Council of the Town of Addison, Texas ordered a General Election be held on May 4, 2024, for the purpose of electing three (3) Councilmembers, each to serve for a regular two (2) year term; and

**WHEREAS**, pursuant to the Texas Election Code, the deadline for filing applications for a place on the ballot and declaration of write-in candidacy for the City's General Election has expired; and

**WHEREAS**, Section 2.053, Texas Election Code, authorizes the City Council, by ordinance, to declare each unopposed candidate elected to office and cancel the election; and

**WHEREAS**, the City Secretary, in accordance with Section 2.052, Texas Election Code, has certified in writing to the City Council that Chris DeFrancisco, Howard Freed, and Darren Gardner are unopposed for election to the Councilmember offices; and

**WHEREAS**, the City Council hereby finds and determines that said candidates whose names are to appear on the ballot in said election are unopposed, there are no declared write-in candidates, and no propositions to appear on the ballot for said election; and

**WHEREAS**, under these circumstances, the City Council desires to declare the candidates elected to office and cancel the General Election as authorized by state law.

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

**SECTION 1.** That Pursuant to Section 2.053(b), Texas Election Code, the General Election that was previously called for May 4, 2024, for the purpose of electing three (3) Councilmembers each to serve for a regular two (2) year terms, shall not be held and is hereby canceled.

**SECTION 2.** That in accordance with Section 2.053(a), Texas Election Code, the following unopposed candidates are hereby declared duly elected to the respective office shown and shall be issued a certificate of election no sooner than six (6) days after May 4, 2024:

Chris DeFrancisco	Councilmember, for a term of two (2) years;
Howard Freed	Councilmember, for a term of two (2) years; and
Darren Gardner	Councilmember, for a term of two (2) years.

**SECTION 3.** That the City Secretary hereby is directed to cause a copy of this Ordinance to be posted on Election Day at each polling place that would have been used in the election. The Mayor for the Town of Addison, Texas, is directed to issue a Certificate of Election to each of the above-named Councilmembers, no sooner than six (6) days after May 4, 2024. Each person elected must qualify for the office in the manner provided by the Texas Constitution and laws of the State of Texas.

**SECTION 4.** That it is declared to be the intent of the City Council that the phrases, clauses, sentences, paragraphs, and section of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of the ordinance is declared invalid by the judgment or decree of a court of competent jurisdiction, the invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this ordinance since the City Council would have enacted them without the invalid portion.

**SECTION 5.** That this ordinance shall take effect immediately from and upon its final passage, as the law in such cases provides.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS ON THIS THE 5<sup>TH</sup> DAY OF MARCH, 2024.**

By: \_\_\_\_\_  
Bruce Arfsten, Mayor

**ATTEST:**

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Valencia Garcia, Interim City Secretary

**APPROVED AS TO FORM:**

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Whitt L. Wyatt, City Attorney