

**CITY OF ROCKWALL, TEXAS**  
**ORDINANCE NO. 19-\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROCKWALL, TEXAS DECLARING UNOPPOSED CANDIDATES FOR THE OFFICES OF MAYOR AND CITY COUNCILMEMBER PLACE 1, CITY COUNCILMEMBER PLACE 3, AND CITY COUNCILMEMBER PLACE 5, AS ELECTED; PROVIDING THAT THE MAY 4, 2019 GENERAL MUNICIPAL ELECTION SHALL NOT BE HELD; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; FINDING AND DETERMINDING THAT THE MEETING AT WHICH THIS ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Rockwall, Texas adopted Resolution No. 19-03 on February 4, 2019, ordering a general election to be held on May 4, 2019, for the purpose of electing a Mayor and three additional city officials - City Councilmember Place 1, City Councilmember Place 3, and City Councilmember Place 5; and

**WHEREAS**, pursuant to Sections 143.007 and 146.054, 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 have expired; and

**WHEREAS**, the City Secretary, in accordance with Section 2.052, Texas Election code, has certified in writing, attached hereto as Exhibit 'A', to the City Council that Jim Pruitt is unopposed for election to the office of Mayor; Bennie Daniels is unopposed for election to the office of Councilmember Place 1; Kevin Fowler is unopposed for election to the office of Councilmember Place 3, and Dana K. Macalik is unopposed for election to the office of Councilmember Place 5; and

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

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

**Section 1.** The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct;

**Section 2.** In accordance with Section 2.053(a), Texas Election Code, the following unopposed candidates are hereby declared duly elected to the respective offices for a term of two years and shall be issued a certificate of election following the date on which the general election for Councilmembers would have otherwise been held:

- Jim Pruitt - Mayor
- Bennie Daniels - Councilmember, Place 1
- Kevin Fowler - Councilmember, Place 3
- Dana K. Macalik - Councilmember, Place 5

**Section 3.** Pursuant to Section 2.053(b), Texas Election code, the general municipal election for Mayor and Councilmember Place 1, Councilmember Place 3, and Councilmember Place 5 called and ordered by Resolution No. 19-03, for May 4, 2019, shall not be held and is hereby cancelled.

**Section 4.** The City Secretary is hereby directed to cause a copy of this Ordinance to be posted on Election Day, same being May 4, 2019, at all posting places that would have been used in said election.

**Section 5.** Term of office for the unopposed Mayor and Councilmembers shall commence on May 20, 2019 after the Oath of Office has been administered and executed.

**Section 6.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

**Section 7.** The Code of the City of Rockwall, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

**Section 8.** Should any section, paragraph, sentence, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby, and to this end the provisions of this ordinance are declared to be severable.

**Section 9.** It is hereby found and determined that the meeting at which this ordinance was passed was open to the public as required by Section 551.001 et seq., Texas Government Code, and that advance public notice of the time, place and purpose of said meeting was given.

**Section 10.** This ordinance shall take effect immediately upon its second reading as required by the City Charter, Section 3.11.

**PRESENTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF ROCKWALL,  
TEXAS THIS 4<sup>th</sup> DAY OF MARCH, 2019.**

\_\_\_\_\_  
**Jim Pruitt, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Kristy Cole, City Secretary**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
**Frank Garza, City Attorney**

**1<sup>ST</sup> Reading: 03/04/2019**

**2<sup>nd</sup> Reading: 03/18/2019**

**“EXHIBIT A”**

**CERTIFICATION OF UNOPPOSED CANDIDATES  
CERTIFICACIÓN DE CANDIDATOS ÚNICOS**

To: Presiding Officer of the City Council

*Al: Alcalde del Consejo de la ciudad*

As the authority responsible for having the official ballot prepared, I hereby certify that the following candidates are unopposed for election to office for the election scheduled to be held May 4, 2019:

*Como autoridad a cargo de la preparación de la boleta de votación oficial, por la presente certifico que los siguientes candidatos son candidatos únicos para elección para un cargo en la elección que se llevará a cabo el 4 de mayo de 2019:*

Jim Pruitt - Mayor  
Bennie Daniels - Councilmember, Place 1  
Kevin Fowler - Councilmember, Place 3  
Dana K. Macalik - Councilmember, Place 5

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*Jim Pruitt – Alcalde  
Bennie Daniels – Miembro del Consejo, Puesto 1  
Kevin Fowler – Miembro del Consejo, Puesto 3  
Dana K. Macalik – Miembro del Consejo, Puesto 5*



Signature (*Firma*)

Kristy Cole

Printed name (*Nombre en letra de molde*)

City Secretary

Title (*Puesto*)

March 1, 2019

Date of signing (*Fecha de firma*)



(Seal) (sello)