

ORDINANCE NO. 2018-57

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS, CANVASSING RETURNS AND DECLARING RESULTS OF THE RUNOFF ELECTION, HELD ON DECEMBER 11, 2018, FOR THE PURPOSE OF ELECTING A CITY COUNCIL MEMBER, PLACE FIVE, AND A SPECIAL ELECTION TO FILL A VACANCY FOR THE TWO YEAR REMAINDER OF THE UNEXPIRED TERM OF CITY COUNCIL MEMBER PLACE FOUR; DECLARING AN EMERGENCY CREATING THE NEED TO ADOPT THIS ORDINANCE WITH ONLY ONE READING; AND PROVIDING AN EFFECTIVE DATE.

RECITALS:

1. On December 11, 2018 a runoff election was held for the purpose of electing a City Council Member, Place Five, and to fill a vacancy for the two year remainder of the unexpired term of City Council Member, Place Four.
2. The City Council of the City of San Marcos, Texas convened on December 19, 2018 to consider the returns of the runoff election held on December 11, 2018 with the following members present: _____.
3. It appears to the Council, and the Council finds, that the election was in all respects lawfully held.
4. It appears to the Council, and Council finds, that the tabulation of the results of the election is correct.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:

SECTION 1. The runoff election held on December 11, 2018 was duly called, notice of the election was given in accordance with law, and the election was held in accordance with law.

SECTION 2. The tabulation of votes cast in the runoff election held on December 11, 2018, for the purposes stated in Recital 1 above, a copy of which is attached to and made a part of this ordinance as Exhibit "A," is adopted as the official tabulation of the votes cast at the election, and the tabulation will be filed and recorded in the official records of the City of San Marcos as the official canvass of the election.

SECTION 3. The official canvass of the returns of the election reflects the following:

- A. For City Council Member, Place Five:

Jocabed "Joca" Marquez	<u>1,472</u>
Rick Henderson	<u>869</u>

B. For City Council Member, Place Four, Unexpired Term:

Mark Rockeymoore	<u>1,467</u>
Shane Scott	<u>866</u>

SECTION 4. That Jocabed “Joca” Marquez received a majority of the votes and is elected to serve as City Council Member, Place Five.

SECTION 5. That Mark Rockeymoore received a majority of the votes and is elected to serve as City Council Member, Place Four.

SECTION 6. If any portion of this Ordinance is held invalid by a court of competent jurisdiction, the remaining provisions of this Ordinance shall remain in full force and effect.

SECTION 7. The importance of this Ordinance creates an emergency and an imperative public necessity, and the provisions of the Charter requiring that ordinances be presented at two separate meetings be waived and, this Ordinance will take effect immediately upon adoption.

CONSIDERED, APPROVED, AND ADOPTED this the 19th day of December, 2018.

Jane Hughson
Mayor

Attest:

Approved:

Jamie Lee Case
City Clerk

Michael J. Cosentino
City Attorney