

**AN ORDINANCE CANCELLING THE BOND ELECTION TO BE HELD  
IN THE CITY OF DEVINE, TEXAS ON MAY 6, 2023; AND ADDRESSING  
OTHER MATTERS INCIDENTAL THERETO**

WHEREAS, pursuant to an ordinance passed by the City Council (the *Council*) of the City of Devine, Texas (the *City*) on February 13, 2022, a bond election was ordered to be held in the City on May 6, 2023 (the *Election*), being a uniform election date prescribed by Section 41.001 of the Texas Election Code, as amended (the *Code*); and

WHEREAS, pursuant to Section 2.081 and Section 2.082 of the Code, the City may cancel a moot bond election when voting has not started; and

WHEREAS, the Council hereby finds and determines that the Election has been rendered moot by sudden and unexpected changes in the economy; and

WHEREAS, the Council hereby finds and determines that voting in the Election has not yet started; and

WHEREAS, the Council hereby finds and determines that all proceedings and actions to date with respect to the Election have been proper and appropriate; and

WHEREAS, the Council hereby finds and determines that cancelling the Election is in the best interests of the residents of the City; now, therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DEVINE, TEXAS THAT:

SECTION 1. The Election is hereby cancelled as moot pursuant to the findings above and is subject to recall by ordinance of the Council should circumstances change.

SECTION 2. The City Secretary will post notice or cause to be posted a copy of this ordinance (a) on the City's website; (b) on the City's bulletin board where notice of Council meetings is routinely made; and (c) at each polling place that would have been used for the Election during early voting by personal appearance and on election day in compliance with Section 2.081 of the Code.

SECTION 3. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

SECTION 4. All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters ordained herein.

SECTION 5. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 6. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public, and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code, and as modified by the Open Meetings Ordinance.

SECTION 7. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and this Council hereby declares that this Ordinance would have been enacted without such invalid provision.

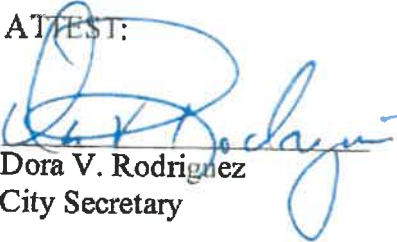
PASSED AND APPROVED on April 4, 2023.

CITY OF DEVINE, TEXAS



Cory Thompson  
Mayor

ATTEST:



Dora V. Rodriguez  
City Secretary

(CITY SEAL)

