

**ORDINANCE NO. R-2022-11**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS DECLARING MEASURES MOOT IN THE MAY 7, 2022, SPECIAL ELECTION ON CHARTER AMENDMENTS; CANCELING THE ELECTION, AS EXHIBIT A; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on February 8, 2022, the City of Bastrop called for a special election to be held on May 7, 2022, for the purpose of amending the Home Rule Charter; and

**WHEREAS**, the City Council has statutory authority to cancel a special election on a measure pursuant to Texas Election Code §2.081 when a proposition is essentially moot; and

**WHEREAS**, according to Black's Law Dictionary a matter is moot when it cannot have any practical effect on a situation, there is no existing controversy, no actual issues exist, and the items involved are academic in nature; and

**WHEREAS**, the City Council finds that the special election ordered for May 2022, to be moot; and

**WHEREAS**, the City Council prefers to delay an election on any charter amendments until such time as there are other races or propositions on the ballot so to achieve administrative efficiency, fiscal accountability, and greater voter participation; and

**WHEREAS**, all constitutional and statutory prerequisites for the approval of this ordinance have been met, including but not limited to the Open Meetings Act; and

**WHEREAS**, the City Council finds this ordinance to be reasonable and necessary under the circumstances; and

**WHEREAS**, the City Council deems the adoption of this ordinance to be in the best interests of the health, safety, and welfare of the public.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BASTROP, TEXAS:**

**Section 1.** That all matters stated hereinabove are found to be true and correct and are incorporated herein by reference as if copied in their entirety.

**Section 2.** The May 7, 2022, City of Bastrop Special Election is canceled.

**Section 3.** The City Secretary is directed to post a copy of the Order of Cancellation attached as Exhibit "A" at each designated polling location on May 7, 2022.

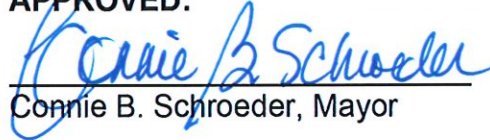
**Section 4.** If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

**Section 5.** That this Ordinance shall be effective immediately upon passage.


**READ and APPROVED** on First Reading on the 8<sup>th</sup> day of March, 2022.

**READ and APPROVED** on Second Reading on the 8<sup>th</sup> day of March, 2022.

**APPROVED:**

  
\_\_\_\_\_  
Connie B. Schroeder, Mayor

**ATTEST:**

  
\_\_\_\_\_  
Ann Franklin, City Secretary

**APPROVED AS TO FORM:**


  
\_\_\_\_\_  
Alan Bojorquez, City Attorney

EXHIBIT B

AW12-2  
Prescribed by Secretary of State  
Section 2.051 – 2.053, Texas Election Code  
2/14

**ORDER OF CANCELLATION**  
**ORDEN DE CANCELACIÓN**

The City of Bastrop hereby cancels the special election scheduled to be  
(official name of governing body)

held on May 7, 2022 in accordance with Section 2.081 of the Texas  
(date on which election was scheduled to be held)

Election Code.

*El Ciudad de Bastrop por la presente cancela la elección especial que, de lo contrario,*  
(nombre oficial de la entidad gobernante)

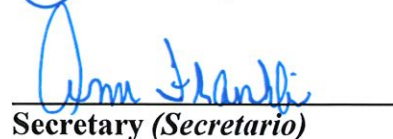
*se hubiera celebrado el 7 de mayo de 2022 de conformidad, con*  
(fecha en que se hubiera celebrado la elección)

*la Sección 2.081) del Código de Elecciones de Texas.*

*A copy of this order will be posted on Election Day at each polling place that would have been used in the election.*

*El Día de las Elecciones se exhibirá una copia de esta orden en todas las mesas electorales que se hubieran utilizado en la elección.*

  
\_\_\_\_\_  
Mayor (Alcalde)

  
\_\_\_\_\_  
Secretary (Secretario)