



CITY OF ROLLINGWOOD SPECIAL CITY COUNCIL MEETING AGENDA

Thursday, September 07, 2023

Notice is hereby given that the City Council of the City of Rollingwood, Texas will hold a meeting, open to the public, in the Municipal Building at 403 Nixon Drive in Rollingwood, Texas on September 07, 2023 at 12:00 PM. Members of the public and the City Council may participate in the meeting virtually, as long as a quorum of the City Council and the presiding officer are physically present at the Municipal Building, in accordance with the Texas Open Meetings Act. The public may watch this meeting live and have the opportunity to comment via audio devices at the link below. The public may also participate in this meeting by dialing one of the toll-free numbers below and entering the meeting ID and Passcode.

Link: <https://us02web.zoom.us/j/5307372193?pwd=QmNUbmZBQ1lwUINjNmK5RnJreIRFUT09>

Toll-Free Numbers: (833) 548-0276 or (833) 548-0282

Meeting ID: 530 737 2193

Password: 9fryms

The public will be permitted to offer public comments via their audio devices when logged in to the meeting or telephonically by calling in as provided by the agenda and as permitted by the presiding officer during the meeting. If a member of the public is having difficulties accessing the public meeting, they can contact the city at dadair@rollingwoodtx.gov. Written questions or comments may be submitted up to two hours before the meeting. A video recording of the meeting will be made and will be posted to the City's website and available to the public in accordance with the Texas Public Information Act upon written request.

CALL SPECIAL CITY COUNCIL MEETING TO ORDER

1. Roll Call

PUBLIC COMMENTS

Citizens wishing to address the City Council for items not on the agenda will be received at this time. Please limit comments to 3 minutes. In accordance with the Open Meetings Act, the City Council is restricted from discussing or taking action on items not listed on the agenda.

Citizens who wish to address the Council with regard to matters on the agenda will be received at the time the item is considered.

SPECIAL AGENDA

- 2. Discussion and possible action on acceptance of the Certificate of Unopposed Candidates issued by the City Secretary for the November 7, 2023 General Election
- 3. Discussion and possible action on an ordinance authorizing the election of unopposed candidates for the positions of three City Council Members and cancelling the November 7, 2023 General Election.

ADJOURNMENT OF MEETING

CERTIFICATION OF POSTING

I hereby certify that the above Notice of Meeting was posted on the bulletin board at the Rollingwood Municipal Building, in Rollingwood, Texas and to the City website at www.rollingwoodtx.gov at **5:00 PM** on **September 1, 2023**.

Desiree Adair _____

Desiree Adair, City Secretary

NOTICE -

The City of Rollingwood is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. Please contact the City Secretary, at (512) 327-1838 for information. Hearing-impaired or speech-disabled persons equipped with telecommunication devices for the deaf may call (512) 272-9116 or may utilize the stateside Relay Texas Program at 1-800-735-2988.

The City Council will announce that it will go into executive session, if necessary, to deliberate any matter listed on this agenda for which an exception to open meetings requirements permits such closed deliberation, including but not limited to consultation with the city's attorney(s) pursuant to Texas Government Code section 551.071, as announced at the time of the closed session.

Consultation with legal counsel pursuant to section 551.071 of the Texas Government Code;
discussion of personnel matters pursuant to section 551.074 of the Texas Government Code;
real estate acquisition pursuant to section 551.072 of the Texas Government Code;
prospective gifts pursuant to section 551.073 of the Texas Government Code;
security personnel and device pursuant to section 551.076 of the Texas Government Code;
and/or economic development pursuant to section 551.087 of the Texas Government Code.
Action, if any, will be taken in open session.

CERTIFICATION OF UNOPPOSED CANDIDATES FOR THE CITY OF ROLLINGWOOD

I, Desiree Adair, City Secretary for the City of Rollingwood, Texas, as the authority responsible for preparing the official ballot for the November 7, 2023, city election, do hereby certify that the following candidates are unopposed for election to office for the election scheduled November 7, 2023.

Unopposed Candidates for City Council:

Brook Brown
Phil McDuffee
Alec Robinson

I further certify that the deadline for write-in candidate of August 25, 2023, at 5:00 p.m. has passed and there are no declared write-in candidates to appear on the ballot, and the three candidates for City Council are unopposed.

Witness my hand and official seal of the City of Rollingwood, Texas, this 31st day of August 2023.

Desiree Adair
City Secretary



ORDINANCE NO. 2023-09-07-03

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2
3 **AN ORDINANCE OF THE CITY OF ROLLINGWOOD,**
4 **TEXAS, AUTHORIZING THE ELECTION OF UNOPPOSED**
5 **CANDIDATES FOR THE POSITIONS OF THREE COUNCIL**
6 **MEMBERS ON THE ROLLINGWOOD CITY COUNCIL**
7 **AND CANCELLING THE NOVEMBER 7, 2023 GENERAL**
8 **ELECTION; REQUIRING THE CITY SECRETARY TO**
9 **POST A COPY OF THIS ORDINANCE AT EACH CITY OF**
10 **ROLLINGWOOD POLLING PLACE; AUTHORIZING**
11 **CERTIFICATES OF ELECTION TO BE ISSUED;**
12 **REPEALING ALL ORDINANCES OR PARTS OF**
13 **ORDINANCES IN CONFLICT HEREWITH; PROVIDING**
14 **FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE;**
15 **FINDING AND DETERMINING THAT THE MEETING AT**
16 **WHICH THIS ORDINANCE IS PASSED IS OPEN TO THE**
17 **PUBLIC AS REQUIRED BY LAW.**
18
19

20 **WHEREAS**, on July 19, 2023, the Rollingwood City Council issued an order
21 calling for a General Election to be held in the City of Rollingwood on November 7,
22 2023 for the purpose of electing three City Council Members to the Rollingwood City
23 Council; and
24

25 **WHEREAS**, on July 24, 2023, Brook Brown filed an application for a place
26 on the City of Rollingwood ballot for Council Member; and
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28 **WHEREAS**, on July 24, 2023, Phil McDuffee filed an application for a place
29 on the City of Rollingwood ballot for Council Member; and
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31 **WHEREAS**, on July 25, 2023, Alec Robinson filed an application for a place
32 on the City of Rollingwood ballot for Council Member; and
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34 **WHEREAS**, on August 17, 2023, Genie Nyer filed an application for a place
35 on the City of Rollingwood ballot for Council Member; and
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37 **WHEREAS**, on August 21, 2023, Amy Pattillo filed an application for a place
38 on the City of Rollingwood ballot for Council Member; and
39

40 **WHEREAS**, the filing deadline for an application for a place on the City of
41 Rollingwood ballot was August 21, 2023; and
42

43 **WHEREAS**, the filing deadline for an application for a place on the City of
44 Rollingwood ballot as a write in was Friday August 25, 2023; and
45

46 **WHEREAS**, as of August 25, 2023, at 5:00 p.m. no individual had filed a
47 declaration of write-in candidacy for a place on the ballot for City Council Member;
48 and

49 **WHEREAS**, on August 25, 2023, Genie Nyer withdrew her candidacy from
50 the November 7, 2023, election; and
51

52 **WHEREAS**, on August 28, 2023, Amy Pattillo withdrew her candidacy from
53 the November 7, 2023, election; and

54
55 **WHEREAS**, on August 31, 2023, the City Secretary certified that the three
56 candidates for City Council were unopposed, and a copy of this certification is attached
57 as **Exhibit A**; and
58

59 **WHEREAS**, under these circumstances, Subchapter C, Section 2 of the Texas
60 Election Code authorizes the City Council to declare the candidates elected to office
61 and cancel that election.
62

63 **NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE**
64 **CITY OF ROLLINGWOOD, TEXAS:**

65
66 **Section I.**
67

68 That the Rollingwood City Council hereby declares **Brook Brown** elected to the
69 position of City Council Member of the City Council of the City of Rollingwood, Texas.
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71 **Section II.**

72 That the Rollingwood City Council hereby declares **Phil McDuffee** elected to the
73 position of City Council Member of the City Council of the City of Rollingwood, Texas.
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75 **Section III.**

76 That the Rollingwood City Council hereby declares **Alec Robinson** elected to the
77 position of City Council Member of the City of Rollingwood, Texas.
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79 **Section IV.**

80 That the General Election for November 07, 2023, is cancelled.
81

82 **Section V.**
83

84 That the City Secretary shall post a copy of this ordinance on Election Day, November
85 7, 2023, at the polling places used or that would have been used in the election.
86

87 **Section VI.**
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89 That all ordinances or parts of ordinances in conflict with the provisions of this
90 ordinance are hereby repealed.
91

92 **Section VII.**
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94 That the terms and provisions of this ordinance shall be deemed to be severable and
95 that if any section, subsection, sentence, clause, or phrase of this ordinance shall be
96 declared to be invalid or unconstitutional, the same shall not affect the validity of any
97 other section, subsection, sentence, clause, or phrase of this ordinance and the
98 remainder of such ordinance shall continue in full force and effect the same as if such
99 invalid or unconstitutional provision had never been a part hereof.

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Section VIII.

That it is hereby officially found and determined that the meeting at which this ordinance is passed is open to the public and that public notice of the time, place, and purpose of said meeting was given as required by law.

PASSED & APPROVED this, the 7th day of September 2023, by a vote of __ (ayes) to __ (nays) and __ (abstentions) of the City Council of Rollingwood, Texas.

Gavin Massingill, Mayor

ATTEST:

Desiree Adair, City Secretary
City of Rollingwood, Texas

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Desiree Adair
City Secretary