



**NOTICE OF VACANCY PURSUANT TO ELECTION § 201.023**

Mayor Robert Deviney ("Mayor Deviney") issues this "Notice of Vacancy Pursuant to Election Code § 201.023" ("this Notice"), and in support thereof, respectfully offers the following:


**I. Recitals**

**WHEREAS**, on July 8, 2020, Council Member Mike McClabb ("Mr. McClabb") tendered his resignation from the Martindale City Council, Place 4, effective that July 8, at 11:56 P.M.; and

**WHEREAS**, the resignation of a City Council Member shall become effective upon the earlier to occur of: (1) acceptance by the City Council of the resignation; or (2) on the eighth day after the date of receipt by the authority of the resignation<sup>12</sup>.

**II. Statement of Vacancy**

As Wednesday, July 8, 2020 at 11.56 P.M. is the time of "receipt by the authority" of Mr. McClabb's resignation, Mr. McClabb's resignation is therefore deemed effective and accepted, and a vacancy now exists on the Martindale City Council, Place 4, as of July 17, 2020 at 1:00 P.M.

  
Robert Deviney Mayor  
City of Martindale, Texas

<sup>1</sup> *Election Code § 201.023*

<sup>2</sup> *Local Government Code § 22.012*