

ORDINANCE NO. 2019-002

**AN ORDINANCE OF THE CITY OF EAST BERNARD, TEXAS,
DECLARING THE UNOPPOSED CANDIDATES FOR ALDERMAN
PLACE NOS. 1, 3 AND 5, ELECTED; PROVIDING THAT THE MAY 4,
2019 GENERAL MUNICIPAL OFFICERS ELECTION SHALL NOT BE
HELD; CONTAINING OTHER PROVISIONS RELATING TO THE
SUBJECT; PROVIDING FOR SEVERABILITY; AND REPEALING ALL
ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN
CONFLICT HEREWITH.**

* * * * *

WHEREAS, pursuant to City of East Bernard, Texas, Ordinance No. 2019-001, passed and approved on February 4, 2019, a general municipal officers' election was ordered to be held on May 4, 2019, for the purpose of electing three (3) officials of the City, to wit: three (3) Aldermen; and

WHEREAS, pursuant to said Ordinance No. 2019-001 and Section 143.007, TEXAS ELECTION CODE, the deadline for filing applications for a place on the ballot of the City's municipal officers' election has expired; and

WHEREAS, the City Secretary, in accordance with Section 2.052, TEXAS ELECTION CODE, has certified to the Board of Aldermen in writing that there is no proposition on the ballot, that no person has made a declaration of write-in candidacy, and that David Tomchesson is unopposed for election to the office of Alderman, Position 1, Andrew Webster is unopposed for election to the office of Alderman, Place No. 3, John Kopycinski is unopposed for election to the office of Alderman, Place No. 5; and

WHEREAS, the Board of Aldermen hereby finds and determines that each candidate whose name is to appear on the ballot in said election is unopposed, and no proposition is to appear on the ballot for such election and under these circumstances, Subchapter C, Chapter 2, Election Code, authorizes the Board of Aldermen to declare the candidates elected to office and cancel the election;

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF ALDERMAN OF THE
CITY OF EAST BERNARD, TEXAS:**

Section 1. The facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. In accordance with Section 2.053(a), TEXAS ELECTION CODE, the following unopposed candidates are hereby declared duly elected to the respective offices shown:

Alderman, Place No. 1- David Tomchesson

Alderman, Place No. 3 – Andrew Webster

Alderman, Place No. 5 – John Kopycinski

Section 3. Pursuant to Section 2.053(b), TEXAS ELECTION CODE, the general municipal officers' election heretofore called and ordered by City of East Bernard, Texas, Ordinance No. 2019-001, for the 4th day of May 2019, shall not be held and is hereby canceled.

Section 4. The City Clerk is hereby directed to cause a copy of this Ordinance to be posted on Election Day, same being May 4, 2019, at the polling place that would have been used in such election.

Section 5. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the Board of Aldermen of the City of East Bernard, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 6. All ordinances or parts or ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

PASSED, APPROVED, AND ADOPTED this 18th day of March A.D. 2019.

ATTEST:


Audrey Searce, City Secretary


Marvin Holub, Mayor



ORDER OF CANCELLATION
ORDEN DE CANCELACIÓN

The City of East Bernard hereby cancels the election scheduled to be held on May 4, 2019 in accordance with Section 2.053(a) of the Texas Election Code. The following candidates have been certified as unopposed and are hereby elected as follows:

El Ciudad de East Bernard por la presente cancela la elección que, de lo contrario, se hubiera celebrado el 4th de mayo 2019 de conformidad, con la Sección 2.053(a) del Código de Elecciones de Texas. Los siguientes candidatos han sido certificados como candidatos únicos y por la presente quedan elegidos como se haya indicado a continuación:

Candidate (Candidato)

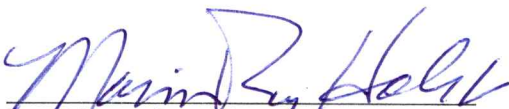
David Tomchesson
Andrew Webster
John Kopycinski


Office Sought (Cargo al que presenta candidatura)

Alderman, Position 1 (*Concejal de la posicion No. 1*)
Alderman, Position 3 (*Concejal de la posicion No. 3*)
Alderman, Position 5 (*Concejal de la posicion No. 5*)

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.


President (*Presidente*)


Secretary (*Secretario*)



(seal) (*sello*)

3/18/2019
Date of adoption (*Fecha de adopción*)

