

ORDINANCE NO. 179-16

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF COLUMBUS, TEXAS, DECLARING THE UNOPPOSED CANDIDATES FOR THE OFFICES OF CITY COUNCILMEMBER PLACE FOUR, AND CITY COUNCILMEMBER PLACE FIVE AS ELECTED; PROVIDING THAT THE MAY 7, 2016, REGULAR MUNICIPAL ELECTION SHALL NOT BE HELD; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT THEREWITH; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; FINDING AND DETERMINING THAT THE MEETING AT WHICH THE ORDINANCE WAS PASSED WAS OPEN TO THE PUBLIC AS REQUIRED BY LAW, DECLARING AN EMERGENCY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Columbus, Texas, adopted Resolution 157-16 on February 11, 2016, ordering a regular municipal election to be held on May 7, 2016, for the purpose of electing three officials of the City, to wit: Councilmember Place Three, Councilmember Place Four, and Councilmember Place Five; and

WHEREAS, pursuant to Sections 143.007 and 146.054, Texas Election Code, the deadline for filing applications for a place on the ballot and declaration of write-in candidacy for the City's regular municipal election have expired; and

WHEREAS, the City Secretary in accordance with Section 2.052, Texas Election Code, has certified in writing to the City Council that Eduardo Hernandez is unopposed for election to the office of Councilmember Place Four, and Charles D. Rankin is unopposed for election to the office of Councilmember Place Five; and

WHEREAS, the City Council hereby finds and determines that the candidates whose names are to appear on the ballot in said election are unopposed, there are no declared write-in candidates, and no propositions to appear on the ballot for said election;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLUMBUS, THAT:

1.

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

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 and shall be issued a certificate of election following the date on which the regular municipal election for Councilmember Place Four, and Councilmember Place Five was to have been held:

Councilmember Place Four – Eduardo Hernandez
Councilmember Place Five – Charles D. Rankin

3.

Pursuant to Section 2.053(b), Texas Election Code, the regular municipal election for Councilmember Place Three, Councilmember Place Four and Councilmember Place Five called and ordered by Resolution No. 157-16, for May 7, 2016, shall not be held and is hereby canceled.

4.

The City Secretary is hereby directed to cause a copy of this Ordinance to be posted on Election Day, same being May 7, 2016, at all polling places that would have been used in such election.

5.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

6.

The Code of the City of Columbus, Texas, as amended, shall remain in full force and effect, save and except as amended by this ordinance.

7.

Should any section, paragraph, sentence, clause, phrase or word of this ordinance be declared unconstitutional or invalid for any purpose by a court of competent jurisdiction, the remainder of this ordinance shall not be affected thereby, and to this end the provisions of this ordinance are declared to be severable.

8.

It is hereby found and determined that the meeting at which this ordinance was passed was open to the public as required by Section 551.001 et. seq., Texas Government Code, and that advance public notice of the time, place and purpose of said meeting was given.

9.

There exists a public emergency that this Ordinance be passed finally upon the date of its introduction and first reading in order to timely prepare the ballot for early voting and to meet posting requirements and other provisions contained in the Texas Election Code.

10.

This ordinance shall take effect immediately upon its first and only reading.

PRESENTED AND GIVEN first and only reading, passed and approved this 10th day of March, 2016, by a vote of 4 ayes and 0 noes at a regular meeting of the City Council of Columbus, Texas.

APPROVED:

ATTEST:


Dwain K. Dungen, Mayor
City of Columbus


Bana Schneider, City Secretary

