

RESOLUTION NUMBER 1509-2016

A RESOLUTION OF THE CITY OF DICKINSON, TEXAS, DECLARING CANDIDATES FOR COUNCIL MEMBER POSITION NUMBERS 2, 4 AND 6 UNOPPOSED; AND DECLARING CANDIDATES FOR COUNCIL MEMBER POSITION NUMBERS 2, 4, AND 6 ELECTED; PROVIDING FOR THE CANCELLATION OF THE MAY 7, 2016, GENERAL ELECTION; CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT; AND PROVIDING FOR SEVERABILITY, A REPEALER CLAUSE AND AN EFFECTIVE DATE.

* * * * *

WHEREAS, pursuant to City of Dickinson, Texas, Resolution Number 1498-2016, passed, approved, and adopted on January 26, 2016, a general municipal officers' election was ordered to be held on May 7, 2016, for the purpose of electing the Mayor and Council Members for Position Numbers 2, 4, and 6; and

WHEREAS, pursuant to said Resolution Number 1498-2016 and Sections 143.007 and 146.054 of the TEXAS ELECTION CODE, the deadline for filing applications for a place on the ballot and declaration of write-in candidacy for 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 City Council in writing that Bruce Henderson is unopposed for election to the office of Council Member Position No. 2; Wally Deats is unopposed for election to the office of Council Member Position No. 4; and William H. King, III is unopposed for election to the office of Council Member Position No. 6. A copy of the Certification of Unopposed Candidates labeled Exhibit "A" is attached hereto and made a part hereof; and

WHEREAS, the City Council hereby finds and determines that each candidate whose names are to appear on the ballot in said election are unopposed; and that no proposition is to appear on the ballot for such election; and,

WHEREAS, the City Council hereby finds that the May 7, 2016, General Election should be cancelled.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, THAT:

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

Section 2. In accordance with Section 2.053, TEXAS ELECTION CODE, the following unopposed candidates are hereby declared duly elected to the respective offices shown and shall be issued a certification of election following the date the election was to have been held in accordance with the Texas Election Code:

Bruce Henderson – Council Member Position No. 2
Wally Deats – Council Member Position No. 4
William H. King, III – Council Member Position No. 6

Section 3. Pursuant to Section 2.053(b), TEXAS ELECTION CODE, the general municipal officers' election heretofore called and ordered by the City of Dickinson, Texas, by Resolution Number 1498-2016, for the 7th day of May, 2016, shall not be held and is hereby cancelled.

Section 4. The City Secretary is hereby directed to cause a copy of this Resolution to be posted on Election Day, May 7, 2016, at the polling places that would have been used in such election.

Section 5. In the event any clause, phrase, provision, sentence, or part of this Resolution or the application of 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 resolution as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Dickinson, 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 resolutions or parts of resolutions inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

DULY PASSED, APPROVED AND ADOPTED this the 8th day of March, 2016.

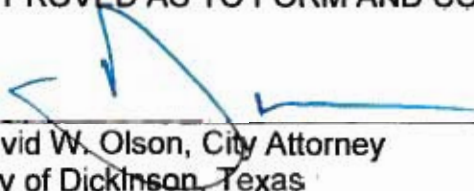

Julie Masters, Mayor
City of Dickinson, Texas

ATTEST:


Carolyn E. Anderson, City Secretary
City of Dickinson, Texas



APPROVED AS TO FORM AND CONTENT:



David W. Olson, City Attorney
City of Dickinson, Texas

"EXHIBIT A"



TO: Mayor and City Council

CC: Julie M. Robinson, City Administrator

FROM: Carolyn E. Anderson, City Secretary

DATE: February 26, 2016

SUBJECT: Certification of Unopposed Status of City Council Election

As of Tuesday, February 26, 2016, at 5:00 p.m. the following candidates have filed for a position in the Dickinson City Council Election to be held May 7, 2016:

Position Number 2:

Bruce Henderson

Position Number 4:

Wally Deats

Position Number 6:

William H. King, III

I hereby certify that there is only one candidate's name to be placed on the ballot, and there are no write-in candidates' names to be placed on a list of write-in candidates for any officer under applicable law.

This is submitted to City Council for their consideration in cancelling the General Election called for May 7, 2016, pursuant to Section 2.052 of the Texas Election Code. Staff is in the process of preparing a resolution declaring the candidates elected and cancelling the election.

Please contact my office if you have any questions in this matter.


Carolyn E. Anderson
City Secretary

