

ORDINANCE NO. 2023-903

AN ORDINANCE OF THE TOWN OF PANTEGO, TEXAS, ACCEPTING CERTIFICATE OF UNOPPOSED CANDIDATES FOR THE OFFICES OF MAYOR, TOWN COUNCIL PLACE 4, AND TOWN COUNCIL PLACE 5; DECLARING THE MAY 6, 2023 GENERAL ELECTION CANCELLED FOR THESE THREE SEATS AND DECLARING THE UNOPPOSED CANDIDATES ELECTED TO OFFICE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR POSTING OF NOTICE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the Town of Pantego, Texas (the "Town") is a Type A General Law municipality located in Tarrant County, Texas, created in accordance with the provisions of the Texas Local Government Code and operating pursuant to the enabling legislation of the State of Texas; and

WHEREAS, via adoption of Ordinance No. 2023-901 on January 23, 2023, a general election was ordered to take place on May 6, 2023, at which time registered voters would elect persons to fill the offices of Mayor, Town Council Place 4, and Town Council Place 5; and

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

WHEREAS, when the filing period for said general election ended at 5:00 p.m. on Friday, February 17, 2023, only one person had filed for candidacy in each place; and

WHEREAS, pursuant to Texas Election Code § 2.052, the City Secretary has certified in writing to the Town Council that Russell S. Brewster is unopposed for election to the office of Mayor, that Gregg Kidd is unopposed for election to the office of Town Council Place 4, and that Jeff Brown is unopposed for election to the office of Town Council Place 5; and

WHEREAS, under these circumstances, Subchapter C, Chapter 2 of the Texas Election Code, authorizes the Town Council to declare those candidates who filed elected to office and compels the Council to cancel the previously ordered general election; and

WHEREAS, the Town Council hereby finds and determines these three candidates whose names were to appear on the ballot in said election are unopposed, there are no declared write-in candidates, and no propositions are to appear on the ballot for said election.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF PANTEGO, TEXAS, THAT:

SECTION 1.

In accordance with Section 2.053(a), Texas Election Code, the following candidates, who are unopposed in the May 6, 2023 general election, are hereby declared duly elected to the representative offices shown, and shall be issued certificates of election following May 6, 2023, the date that the General Election for Mayor, Place 4, and Place 5 would have been held:

Russell S. Brewster, Mayor
Gregg Kidd, Place 4
Jeff Brown, Place 5

SECTION 2.

Pursuant to Section 2.053(b), Texas Election Code, the May 6, 2023 general election for Mayor, Place 4, and Place 5, ordered to be held by Ordinance No. 2023-901 is cancelled, and the City Secretary is directed to cause a copy of this Ordinance to be posted on election day at each polling place used or that would have been used in the election.

SECTION 3.

The candidates-elect so named in Section One of this Ordinance shall be administered the Oath of Office at Pantego Town Hall and may exercise the duties of office at the beginning of the first regular meeting of the Town Council after May 6, 2023, the date which the General Election for Mayor, Place 4, and Place 5 would have been held.

SECTION 4.

The facts and matters set forth in the preamble of this Ordinance and Order of Cancellation are hereby found to be true and correct and are incorporated herein and made a part hereof for all purposes.

SECTION 5.

It is hereby declared to be the intention of the Town Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining, phrase, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the Town Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

SECTION 6.

This ordinance shall be in full force and effect from and after its passage.

PASSED AND APPROVED ON THIS 27TH DAY OF FEBRUARY, 2023, BY A VOTE OF 5 AYES, 0 NAYS, AND 0 ABSTENTIONS AT A REGULAR MEETING OF THE TOWN COUNCIL OF THE TOWN OF PANTEGO, TEXAS.

APPROVED AS TO FORM:


CITY ATTORNEY CARVAN E. ADKINS, TOASE

ATTEST:


CITY SECRETARY LESLIE E. GALLOWAY





OFFICE OF THE CITY SECRETARY

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CERTIFICATE OF UNOPPOSED CANDIDATES

TO: PRESIDING OFFICER OF GOVERNING BODY

AL: PRESIDENTE DE LA ENTIDAD GOBERNANTE

As the authority responsible for having the official ballot prepared, I hereby certify that the following candidates are unopposed for election to office for the election scheduled to be held on May 6, 2023.

Como autoridad a cargo de la preparación de la boleta de votación oficial, por la presente certifico que los siguientes candidatos son candidatos únicos para elección para un cargo en la elección que se llevará a cabo el 6 de mayo de 2023.

Offices Cargos	Candidates Candidatos
Mayor Alcalde	Russell S. Brewster
Town Council, Place 4 Concejal, Lugar 4	Gregg Kidd
Town Council, Place 5 Concejal, Lugar 5	Jeff Brown




SIGNATURE
FIRMA

LESLIE E. GALLOWAY

PRINTED NAME

NOMBRE EN LETRA DE MOLDE

CITY SECRETARY

TITLE

PUESTO

February 23, 2023 // 23 de febrero de 2023

DATE OF SIGNING

FECHA DE FIRMA