

## ORDER

### **AN ORDER DECLARING THE UNOPPOSED CANDIDATE IN THE DECEMBER 8, 2018 CITY OF BRENHAM SPECIAL ELECTION, ELECTED TO OFFICE; CANCELING THE ELECTION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Brenham, Texas is a home rule municipality located in Washington County, operating in accordance with the provisions of the Local Government Code and created pursuant to the enabling legislation of the State of Texas; and

**WHEREAS**, the City Secretary has certified in writing that no person has made a declaration of write-in candidacy, and that each candidate on the ballot is unopposed for election to office; and

**WHEREAS**, under these circumstances, Section 2.053, Subchapter C, Chapter 2, Texas Election Code, authorizes the City Council to declare the unopposed candidate elected to office and cancel the election;

**NOW, THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF BRENHAM:**

**Section 1:** The following candidate, who was unopposed for the December 8, 2018 Special Election, is declared elected to office, and shall be issued a certificate of election following the time the election would have been canvassed:

Councilmember

Place Five – At Large

Clint Kolby

**Section 2:** The December 8, 2018 Special Election is canceled, and the City Secretary is directed to cause a copy of this Order to be posted on Election Day at each polling place that would have been used in the election.

**Section 3:** It is declared to be the intent of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Order are severable, and if any phrase, clause, sentence, paragraph, or section of this Order is declared invalid by the judgment or decree of a court of competent jurisdiction, the invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Order since the City Council would have enacted them without the invalid portion.

**Section 4:** This Order shall take effect upon its final passage, and it is so ordered.

Passed and approved on the 18<sup>th</sup> day of October, 2018



*Milton Y. Tate, Jr.*  
Milton Y. Tate, Jr.  
Mayor

**ATTEST:**

*Jeanne Bellinger*  
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Jeanne Bellinger, TRMC, CMC  
City Secretary