

ORDINANCE NO. O-2023-21

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, CANCELING THE ELECTION FOR THE TYLER CITY COUNCIL FOR DISTRICT ONE, THREE, AND FIVE, SCHEDULED FOR MAY 6, 2023, AND DECLARING THE UNOPPOSED CANDIDATES FOR THE TYLER CITY COUNCIL SINGLE MEMBER DISTRICTS DISTRICT ONE, THREE, AND FIVE, ELECTED TO OFFICE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, a City Council Election is currently scheduled for May 6, 2023; and

WHEREAS, no proposition is to appear on the ballot for the May 6, 2023, Election for the Tyler City Council Single Member Districts One, Three, and Five; and

WHEREAS, the City Clerk of the City of Tyler has certified in writing that the candidates for the Tyler City Council Single Member Districts One, Three and Five; are unopposed and that no write-in candidates have filed to be placed on the list of write-in candidates; and

WHEREAS, Texas Election Code Sections 2.051 through 2.053 authorize the Tyler City Council to declare each unopposed candidate elected to office and to cancel the election for said Districts.

NOW, THEREFORE, BE IT ORDAINED BY THE TYLER CITY COUNCIL OF THE CITY OF TYLER, TEXAS:

PART 1. That Stuart Hene is hereby declared the duly elected City Councilmember for District One, Shirley McKellar is hereby declared the duly elected City Councilmember for District Three, and that Lloyd Nichols is hereby declared the duly elected City Councilmember for District Five, each to serve for a two-year term of office, to begin May 6, 2023.

PART 2. That the City Council Election for the Tyler City Councilmembers for Single Member Districts One, Three, and Five scheduled for May 6, 2023, is hereby canceled.

PART 3. That a copy of this ordinance shall be posted on May 6, 2023, at each polling place that would have been used in the election and said notice shall be in both English and Spanish.

PART 4. That after May 6, 2023, a certificate of election shall be issued to the above-named unopposed candidates for Districts One, Three, and Five in the same manner as provided for the candidate elected at the election.

PART 5. That upon issuance of a certificate of election, each of the above-named unopposed candidates for Districts One, Three and Five shall be sworn into office in the same manner provided for the candidate elected at the election.

PART 6: That this ordinance shall take effect immediately upon its adoption.

PASSED AND APPROVED this the 8th day of March 2023.


DONALD P WARREN, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:


CASSANDRA BRAGER, CITY CLERK

APPROVED:


DEBORAH G PULLUM, CITY ATTORNEY



To The Tyler City Council:

CERTIFICATION OF UNOPPOSED STATUS

I, Cassandra Brager, City Clerk of the City of Tyler, Texas, hereby certify that when the deadline of 5:00 p.m., February 17, 2023, passed only the following unopposed Candidates had filed an "Application For a Place On The Ballot" and no one had filed a "Declaration Of Write-in Candidacy" for the Tyler City Council Election scheduled to be held May 6, 2023.

**City Council District One -
City Council District Three -
City Council District Five -**

**Stuart Hene
Shirley McKellar
Lloyd Nichols**

This unopposed status and the fact that no proposition is scheduled to appear on the ballot for Districts One, Three, and Five will permit the Tyler City Council to take advantage of Texas Election Code Sections 2.051 - .053, which allow the City Council to cancel the Election and declare the unopposed Candidates elected to office.

DONE THIS THE 8th day of March, 2023



Cassandra Brager, City Clerk