

ORDINANCE NO. 2022- 04

AN ORDINANCE OF THE CITY OF TALTY, TEXAS, CANCELLING THE MAY 7, 2022 GENERAL ELECTION, AND DECLARING UNOPPOSED CANDIDATES FOR THREE COUNCIL MEMBERS SEATS BE ELECTED TO OFFICE REQUIRING ISSUANCE OF A CERTIFICATE OF ELECTION TO EACH CANDIDATE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, an election was called for May 7, 2022, to elect three council members to the City Council;

WHEREAS, no opposed candidate's name appears on the ballot; and no candidate's name was placed on a list of write-in candidates for any office under applicable law; and

WHEREAS, the City Secretary has certified that there are only three candidates, each for a TWO year term seat on the City Council; therefore, each candidate is unopposed for office; and

WHEREAS, the City Secretary has delivered a certification to the City Council certifying 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, Subchapter C, Chapter 2, Texas Election Code, authorizes the City Council to declare the candidates elected to office and cancel the election; and

Now, Therefore

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TALTY, TEXAS:

SECTION 1. That the following three candidates, who are unopposed in the May 7, 2022 General Election for Council members, be and are hereby declared elected to office, and shall be issued certificates of election following the time the election would have been canvassed:

Judy A. Trevino
John Michael Davis
Nathan Bradley Davis

Council Member, for a two (2) year term
Council Member, for a two (2) year term
Council Member, for a two (2) year term

SECTION 2. That the May 7, 2022 General Election be and is hereby canceled, and the City Secretary is directed to cause a copy of this resolution to be posted on Election Day at each polling place that would have been used in the election. The City Secretary is directed to issue a Certificate of Election to each of the above named members of the City Council. Each person elected must qualify for the office in the manner provided by the Texas Constitution and laws of the State of Texas.

SECTION 3. That it is declared to be the intent of the City Council that the phrases, clauses, sentences, paragraphs, and section of this ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of the resolution 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 ordinance since the City Council would have enacted them without the invalid portion.

SECTION 6. That this ordinance shall take effect immediately from and upon its final passage, as the law in such cases provides.

DULY ADOPTED by the City Council of the City of Talty, Texas on the 15th day of March, 2022.

APPROVED:

MAYOR FRANK GARRISON

ATTEST:

CITY SECRETARY

**CERTIFICATION OF UNOPPOSED
CANDIDATES BY THE CITY SECRETARY**

**STATE OF TEXAS §
COUNTY OF KAUFMAN §
CITY OF TALTY §**

I, the undersigned, certify that I am the City Secretary of the City of Talty, Texas, and the authority responsible for preparing the ballot for the May 7, 2022 general municipal election.

I further certify that no person has made a declaration of write-in candidacy, and all of the following candidates were unopposed:

Judy A. Trevino	Council Member for a term of two (2) years
John Michael Davis	Council Member, for a term of two (2) years
Nathan Bradley Davis	Council Member, for a term of two (2) years

WITNESS MY HAND AND SEAL OF OFFICE in Talty, Texas, this 15th day of
March, 2022.

Sherry Bagby, City Secretary
City of Talty, Texas

SEAL: