

**ORDINANCE NO. 0-2015-31**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, CANCELING DISTRICT THREE, AND DISTRICT FIVE, CITY COUNCIL ELECTION SCHEDULED FOR MAY 9, 2015, AND DECLARING THE UNOPPOSED CANDIDATE FOR SINGLE MEMBER DISTRICT THREE AND THE UNOPPOSED CANDIDATE FOR SINGLE MEMBER DISTRICT FIVE ELECTED TO OFFICE; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, a City Council Election is currently scheduled for May 9, 2015; and

**WHEREAS**, no proposition is to appear on the ballot for the May 9, 2015 Election for District Three and District Five; and

**WHEREAS**, the City Clerk of the City of Tyler has certified in writing that the candidate for City Council District Three and the candidate for City Council District 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 2.054 authorize the 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 CITY COUNCIL OF THE CITY OF TYLER, TEXAS:**

**PART 1.** That Edward "Ed" Moore is hereby declared the duly elected City Council member for District Three and that Mark Whatley is hereby declared the duly elected City Council member for District Five to serve for a two-year term of office, to begin May 9, 2015.

**PART 2.** That the City Council Election for District Three and District Five scheduled for May 9, 2015, is hereby canceled.

**PART 3.** That a copy of this ordinance shall be posted on May 9, 2015 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 9, 2015, a certificate of election shall be issued to the above named unopposed candidate for District Three and the unopposed candidate for District Five in the same manner as provided for the candidate elected at the election.

**PART 5.** That upon issuance of a certificate of election, the above named unopposed candidate for District Three and the unopposed candidate for District 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 25<sup>th</sup> day of March, 2015.

  
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MARTIN HEINES, MAYOR  
OF THE CITY OF TYLER, TEXAS

ATT EST:

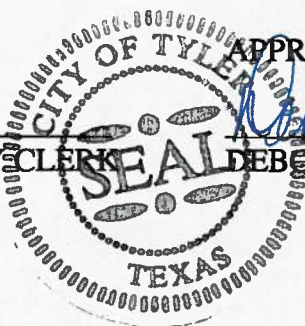
  
\_\_\_\_\_  
CASSANDRA BRAGER, CITY CLERK

APPROVED:

  
\_\_\_\_\_  
DEBORAH G PULLUM, CITY ATTORNEY

CASSANDRA BRAGER, CITY CLERK

DEBORAH G PULLUM, CITY ATTORNEY



**To The Tyler City Council:**

**CERTIFICATION OF UNOPPOSED STATUS**

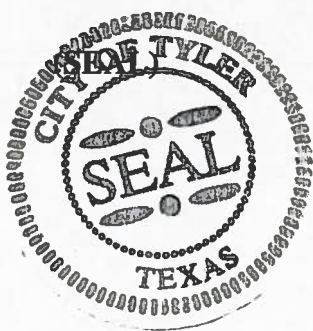
I, Cassandra Brager, City Clerk of the City of Tyler, Texas, hereby certify that when the deadline of 5:00 p.m., February 27, 2015, passed only the following unopposed Candidate had filed an "Application For a Place On The Ballot" and no one had filed a "Declaration Of Write-in Candidacy" for the Tyler City Council Election scheduled to be held May 9, 2015.

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

**Edward "Ed" Moore  
Mark Whatley**

This unopposed status and the fact that no proposition is scheduled to appear on the ballot for District Three and District Five will permit the Tyler City Council to take advantage of Texas Election Code Sections 2.051 - .054, which allow the City Council to cancel the Election and declare the unopposed Candidates elected to office.

**DONE THIS THE 25 day of March, 2015**



Cassandra Brager  
**Cassandra Brager, City Clerk**